THIS BOOK
MUST NOT BE REMOVED
FROM THE LIBRARY

UNIVERSITY OF LONDON LIBRARY

REFERENCE ONLY

PARL. PAPERS
FOR REFERENCE ONLY.

University of London
GURNEY
WOODSTOCK S.E.W.

616948

THE

PARLIAMENTARY DEBATES

(AUTHORISED EDITION),

FOURTH SERIES

FIRST SESSION OF THE TWENTY-EIGHTH PARLIAMENT
OF THE
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND

6 EDWARD VII.

VOLUME CLXIV.

COMPRISING THE PERIOD FROM THE FIFTH DAY OF NOVEMBER
TO THE FOURTEENTH DAY OF NOVEMBER, 1906.

THIRTEENTH VOLUME OF SESSION

1906.

PRINTED AND PUBLISHED,
UNDER CONTRACT WITH HIS MAJESTY'S STATIONERY OFFICE,
BY
WYMAN AND SONS, LIMITED, FETTER LANE, LONDON.

8472

CHRONOLOGY OF "THE PARLIAMENTARY DEBATES."

THE PARLIAMENTARY HISTORY contains all that can be collected of the Legislative History of this country from the Conquest to the close of the XVIIIth Century (1803), 36 vols. The chief sources whence these Debates are derived are the Constitutional History, 24 vols.; Sir Simonds D'Ewes' Journal; Debates of the Commons in 1620 and 1621; Chandler and Timberland's Debates, 22 vols.; Grey's Debates of the Commons, from 1667 to 1694, 10 vols.; Almon's Debates, 24 vols.; Debrett's Debates, 63 vols.; The Hardwicke Papers; Debates in Parliament by Dr. Johnson, &c., &c.

THE PARLIAMENTARY DEBATES commence with the year 1803, and the contents are set forth in the following Chronological Table:—

HISTORY.

CONQUEST to 34 GEO. II.—1066 to 1760.

Vol. 1 to 15, 1 WILL. I. to 34 GEO. II.
1066-1760

REIGN OF GEORGE III.—1760 to 1820.

Vol. 15 to 35, 1 GEO. III. to 40 GEO. III.
1760-1800

(FIRST PARLIAMENT.)

Vol.	35	41	GEO. III.	1801
—	36	42	—	1802

(SECOND PARLIAMENT.)

Vol.	36	42	GEO. III.	1802-3

DEBATES.

First Series.

(SECOND PARLIAMENT—*continued.*)

Vol.	1 & 2	44	GEO. III.	1803-4
—	3 to 5	45	—	1805
—	6 & 7	46	—	1806

(THIRD PARLIAMENT.)

Vol.	8 & 9	47	GEO. III.	1806-7

(FOURTH PARLIAMENT.)

Vol.	9 to 11	48	GEO. III.	1807-8
—	12 — 14	49	—	1809
—	15 — 17	50	—	1810
—	18 — 20	51	—	1810-11
—	21 — 23	52	—	1812

(FIFTH PARLIAMENT.)

Vol.	24 to 26	53	GEO. III.	1812-13
—	27 & 28	54	—	1813-14
—	29 to 31	55	—	1814-15
—	32 — 34	56	—	1816
—	35 & 36	57	—	1817
—	37 — 38	58	—	1818

(SIXTH PARLIAMENT.)

Vol.	39 & 40	59	GEO. III.	1819
—	41	60	—	1819-20

Second Series.

REIGN OF GEORGE IV.—1820 to 1830.

(SEVENTH PARLIAMENT.)

Vol.	1 to 3	1	GEO. IV.	1820
—	4 & 5	2	—	1821
—	6 — 7	3	—	1822
—	8 — 9	4	—	1823
—	10 — 11	5	—	1824
—	12 — 13	6	—	1825-6
—	14 — 15	7	—	1826

(EIGHTH PARLIAMENT.)

Vol.	16	7	GEO. IV.	1826
—	17	8	—	1827
—	18 & 19	9	—	1828
—	20 — 21	10	—	1829
—	22 to 25	11	—	1830

Third Series.

REIGN OF WILLIAM IV.—1830 to 1837.

(Ninth Parliament.)

Vol. 1 to 3... 1 Will. IV.......1830-1

(Tenth Parliament.)

Vol. 4 to 8... 2 Will. IV. 1832
— 9 — 14... 3 — 1831

(Eleventh Parliament.)

Vol. 15 to 20... 4 Will. IV....... 1833
— 21 — 25... 5 — 1834

(Twelfth Parliament.)

Vol. 26 to 30... 6 Will. IV....... 1835
— 31 — 35... 7 — 1836
— 36 — 38... 8 — 1837

REIGN OF VICTORIA—1837 to 1901.

(Thirteenth Parliament.)

Vol. 39 to 44... 1 Victoria 1838
— 45 — 50... 2 — 1839
— 51 — 55... 3 — 1840
— 56 — 58... 4 — (a) 1841

(Fourteenth Parliament.)

Vol. 59 .... 4 Victoria (b) 1841
— 60 to 65... 5 — 1842
— 66 — 71... 6 — 1843
— 72 — 76... 7 — 1844
— 77 — 82... 8 — 1845
— 83 — 88... 9 — 1846
— 89 — 94...10 — (a) 1847

(Fifteenth Parliament.)

Vol. 95 ... .10 Victoria (b) 1847
— 96 to 101...11 — 1848
— 102 —107...12 — 1849
— 108 —113...13 — 1850
— 114 —118...14 — 1851
— 119 —122...15 — (a) 1852

(Sixteenth Parliament.)

Vol. 123 ....15 Victoria (b) 1852
— 124 to 129...16 — 1853
— 130 —135...17 — 1854
— 136 —139...18 — 1855
— 140 —143...19 — 1856
— 144 ....20 — (a) 1857

(Seventeenth Parliament.)

Vol. 145 to 147...20 Victoria (b) 1857
— 148 —151 ..21 — 1858
— 152 —153...22 — (a) 1859

(Eighteenth Parliament.)

Vol. 154 to 155...22 Victoria (b) 1859
— 156 —160...23 — 1860
— 161 —164...24 — 1861
— 165 —168...25 — 1862
— 169 —172...26 — 1863
— 173 —176...27 — 1864
— 177 —180...28 — 1865

(Nineteenth Parliament.)

Vol. 181 to 184...29 Victoria...... 1866
— 185 —189...30 — 1867
— 190 —193...31 — ... 1867-8

(Twentieth Parliament.)

Vol. 194 to 198...32 Victoria ... 1868-9
— 199 —203...33 — 1870
— 204 —208...34 — 1871
— 209 —213...35 — 1872
— 214 —217...36 — 1873

(Twenty-First Parliament.)

Vol. 218 to 221...37 Victoria 1874
— 222 —226...38 — 1875
— 227 —231...39 — 1876
— 232 —236...40 — 1877
— 237 —242...41 — 1878
— 243 —249...42 — ... 1878-9
— 250 & 251...43 — (a) 1880

(Twenty-Second Parliament.)

Vol. 252 to 256...43 Victoria (b) 1880
— 257 —265...44 — 1881
— 266 —273...45 — (a) 1882
— 274 & 275...45 — (b) 1882
— 276 to 283...46 — 1883
— 284 —292...47 — 1884
— 293 —301...48 — ... 1884-5

(Twenty-Third Parliament.)

Vol. 302 to 307...49 Victoria (a) 1886

(Twenty-Fourth Parliament.)

Vol. 308 & 309...49 Victoria (b) 1886
— 310 to 321...50 — 1887
— 322 —332...51 — 1888
— 333 —340...52 — 1889
— 341 —348...53 — 1890
— 349 —356...54 — ... 1890-1

Fourth Series.

(Twenty-Fourth Parliament—*cont.*)

Vol.	1 to 6	55	Victoria	1892

(Twenty-Fifth Parliament.)

Vol.	7	56	Victoria	1892
—	8 to 21	57	—	1893-4
—	22 — 29	57	—	1894
—	30 — 35	58	—	1895

(Twenty-Sixth Parliament.)

Vol.	36	59	Victoria	1895
—	37 to 44	59	—	1895-6
—	45 — 52	60	—	1897
—	53 — 65	61	—	1898
—	66 — 76	62	—	1899
—	77	63	—	1899
—	78 — 83	63	—	1900
—	84	63 & 64	—	1900
—	85 — 87	64	—	1900

(Twenty-Seventh Parliament.)

Vol.	88	64	Victoria	1900

REIGN OF EDWARD VII.

(Twenty-Seventh Parliament—*cont.*)

Vol.	89	1	Edward VII.	1901
—	90 to 100	1	—	1901
—	101	1 & 2	—	1902
—	102 to 117	2	—	1902
—	118 to 128	3	—	1903
—	129 to 140	4	—	1904
—	141 to 151	5	—	1905

(Twenty-Eighth Parliament.)

Vol.	152 to 164	6	Edward VII.	1906

HIS MAJESTY'S PRINCIPAL OFFICERS OF STATE, Etc.

SIR HENRY CAMPBELL-BANNERMAN'S FIRST ADMINISTRATION
DECEMBER 1905.

THE CABINET.

Prime Minister and First Lord of the Treasury——Rt. Hon. Sir H. Campbell-Bannerman.
Lord President of the Council——Rt. Hon. the Earl of Crewe.
Lord Chancellor——Rt. Hon. Lord Loreburn.
Chancellor of the Exchequer——Rt. Hon. H. H. Asquith, M.P.
Secretaries of State——
  Home Department——Rt. Hon. Herbert J. Gladstone, M.P.
  Foreign Affairs——Rt. Hon. Sir Edward Grey, Bt., M.P.
  Colonial Office——Rt. Hon. Earl of Elgin.
  War Office——Rt. Hon. R. B. Haldane, M.P.
  India Office——Rt. Hon. John Morley, M.P.
First Lord of the Admiralty——Rt. Hon. Lord Tweedmouth.
Lord Chancellor of Ireland——Not in the Cabinet.
Chief Secretary for Ireland——Rt. Hon. James Bryce, M.P.
Lord Privy Seal——Most. Hon Marquess of Ripon.
President of the Board of Education——Rt. Hon. A. Birrell, M.P.
President of the Board of Trade——Rt. Hon. D. Lloyd-George, M.P.
President of the Local Government Board——Rt. Hon. John Burns, M.P.
President of the Board of Agriculture——Rt. Hon. Earl Carrington.
Postmaster-General——Rt. Hon. Sydney Buxton, M.P.
Chancellor of the Duchy of Lancaster——Rt. Hon. Sir Henry Fowler, M.P.
The Secretary for Scotland——Rt. Hon. J. Sinclair, M.P.

NOT IN THE CABINET.

Under Secretary of State, Foreign Office——Lord Fitzmaurice.
Under Secretary of State, Home Office——Herbert Samuel, Esq., M.P.
Under Secretary of State, Colonial Office——Winston Churchill, Esq., M.P.
Under Secretary of State, India Office——Rt. Hon. J. E. Ellis, M.P.
Under Secretary of State, War Office——Rt. Hon. Earl of Portsmouth.
Parliamentary Secretary to the Treasury——George Whiteley, Esq., M.P.
Parliamentary Secretary to the Board of Education——Thomas Lough, Esq., M.P.
Parliamentary Secretary to the Admiralty——Rt. Hon. E. Robertson, M.P.
Parliamentary Secretary to the Board of Trade——H. E. Kearley, Esq., M.P.
Parliamentary Secretary to the Local Government Board——Walter Runciman, Esq., M.P.
Financial Secretary to the Treasury——Reginald McKenna, Esq., M.P.
Financial Secretary to the War Office——T. R. Buchanan, Esq., M.P.
Lords of the Treasury——
  J. A. Pease, Esq., M.P.
  Herbert Lewis, Esq., M.P.
  Captain Cecil Norton, M.P.
  J. M. F. Fuller, Esq., M.P.
Lords of the Admiralty——
  Admiral Sir John Fisher.
  Vice-Admiral Sir C. C. Drury.
  Captain H. B. Jackson.
  Captain F. S. Inglefield.
Army Council——
  The Secretary of State for War [*in the Cabinet*].
  Lieut.-General Hon. Sir W. G. Lyttelton.
  Lieut.-General C. W. H. Douglas.
  Lieut.-General Sir W. G. Nicholson.
  Major-General Sir J. W. Murray.
  The Under Secretary of State for War.
  The Financial Secretary to the War Office.
  Secretary. The Permanent Under Secretary of State for War (Colonel Sir E. W. D. Ward).
The Civil Lord of the Admiralty——George Lambert, Esq., M.P.
Lord-Lieutenant of Ireland——Rt. Hon. the Earl of Aberdeen.
The Lord Advocate——Thomas Shaw, Esq., M.P.
Chancellor of the Duchy of Lancaster——In the Cabinet.
Attorney-General——J. Lawson Walton, Esq., M.P.
Solicitor-General——W. S. Robson, Esq., M.P.
Paymaster-General——R. K. Causton, Esq., M.P.

OTHER OFFICERS OF STATE.

Lord Steward——Rt. Hon. Earl of Liverpool.
Comptroller of the Household——The Master of Elibank, M.P.
Treasurer of the Household——Sir Edward Strachey, Bt., M.P.
Lord Chamberlain——Rt. Hon. Viscount Althorp.
Vice-Chamberlain——Wentworth Beaumont, Esq., M.P.
Master of the Horse——Rt. Hon. Earl of Sefton.
Captain Yeoman of the Guard——His Grace the Duke of Manchester.
Lords-in-Waiting——
- Earl Granville.
- Earl of Granard.
- Lord Hamilton of Dalzell.
- Lord Acton.
- Lord Denman.
- Lord Colebrooke.
- Lord Suffield.

Judge Advocate-General——T. Milvain, Esq., K.C.

SCOTLAND.

Secretary for Scotland and Keeper of the Great Seal——Rt. Hon. John Sinclair.
Lord High Constable——Earl of Errol.
Lord Privy Seal——
Master of the Household——Duke of Argyll, K.T.
Lord High Commissioner——Lord Colebrooke.
Lord Clerk Register——His Grace the Duke of Montrose, K.T.
Lord Justice General——
Lord Advocate——Rt. Hon. Thomas Shaw, K.C.
Lord Justice Clerk——Rt. Hon. Lord Kinsburgh, C.B.
Solicitor-General——Alexander Ure, Esq., K.C.
Register General and Deputy Keeper Great Seal—Sir Stair Agnew, K.C.B.
Commanding Forces——Lt.-Gen. E. P. Leach, C.B., C.V.O.

IRELAND.

Lord-Lieutenant——Earl of Aberdeen, G.C.M.G.
Chief Secretary and Keeper of Privy Seal——Rt. Hon. James Bryce, M.P.
Under Secretary——Rt. Hon. Sir A. Macdonnell, G.C.S.I., K.C.V.O.
Private Secretaries——Lord Herschell and Walter Callan, Esq.
State Steward and Chamberlain——Viscount Hawkesbury, M.V.O.
Controller to the Lord-Lieutenant's Household——Viscount Powerscourt, M.V.O.
Lord Chancellor——Lord Justice Walker.
Attorney-General——Rt. Hon. R. R. Cherry, K.C.
Solicitor-General——Redmond Barry, Esq., K.C.
Commanding the Forces——Gen. Lord Grenfell, G.C.B., G.C.M.G.

PRINCIPAL OFFICERS OF THE HOUSE OF LORDS.

Chairman of Committees——Rt. Hon. Earl of Onslow.

Clerk of Parliaments——Sir Henry J. L. Graham, K.C.B.

Deputy Clerk of Parliaments (Clerk Assistant)——Hon. E. P. Thesiger, C.B.

Reading-Clerk and Clerk of Outdoor Committees——Edward Hall Alderson, Esq

Counsel to the Chairman of Committees——Albert Gray, Esq.

Chief Clerk and Clerk of Public Bills——A. Harrison, Esq.

Senior Clerks——

Principal Clerk, Judicial Department, and Taxing Officer of Judicial Costs——J. F. Skene, Esq.

Clerk of the Journals——W. A. Leigh, Esq.

Principal Clerk of Private Committees——J. F. Symons Jeune, Esq.

Peers' Printed Paper Office——C. L. Anstruther, Esq.

W. H. Hamilton Gordon, Esq.

Other Clerks——Hon. A. McDonnell ; A. H. Robinson, Esq. (Clerk of Private Bills) ; H. P. St. John, Esq. ; V. M. Biddulph, Esq. ; Hon. E. A. Stonor ; H. J. F. Badeley, Esq. ; C. Headlam, Esq. ; J. B. Hotham, Esq. ; E. C. Vigors, Esq. ; A. Tennyson, Esq. ; and G. D. Luard, Esq.

Receiver of Fees and Accountant——T. A. Court, Esq.

Copyists——Mr. H. P. Norris and Mr. R. A. Court.

Messengers——Messrs. A. A. Worfell, C. E. Chizlett, A. N. Stoll, J. W. F. Locke J. McMillan, G. Bennett, G. T. Philip.

Librarian——Edmund Gosse, Esq., LL.D.

Assistant Librarian——A. H. M. Butler.

Attendant——Mr. W. Worfell.

Examiners for Standing Orders——C. W. Campion, Esq. ; J. F. Symons Jeune, Esq. ; Clerk ——H. C. Bramwell, Esq.

Gentleman Usher of the Black Rod——Admiral Sir F. H. Stephenson, G.C.V.O., K.C.B.

Yeoman Usher——Captain T. D. Butler, M.V.O.

Serjeant-at-Arms——Lt.-Col. Rt. Hon. Sir Fleetwood I. Edwards, G.C.V.O., K.C.B.

Deputy Serjeant-at-Arms——S. Hand, Esq.

Resident Superintendent——J. K. Williams, Esq.

Shorthand Writer——W. H. Gurney Salter, Esq.

Principal Doorkeepers——Messrs. W. Chandler, E. Fox, F. Holman.

First Class Assistants——Messrs. C. Walker, J. Hedley, J. Lane, B. Gallop.

Second Class Assistants——Messrs. H. B. Strevens, G. W. Cross, W. Stopp.

Third Class Assistants——Messrs. J. Woolacott, A. A. Edney, J. F. Baum.

Messengers——Messrs. A. J. Solman, C. Chapman, W. Phillips, W. W Meates, T. Whitehead.

Superintendent of Refreshment Rooms——Mr. W. Casbon.

Inspector of Police attending the House of Lords——Mr. A. Palmer.

Clerk of the Works, Houses of Parliament——Mr. P. E. Ridge.

Resident Engineer, Houses of Parliament——Mr. A. P. Patey.

PRINCIPAL OFFICERS OF THE HOUSE OF COMMONS.

Clerk of the House of Commons——Sir Courtenay Peregrine Ilbert, K.C.S.I., C.I.E.

Clerk-Assistant——Arthur W. Nicholson, Esq.

Second Clerk-Assistant——T. L. Webster, Esq.

Principal Clerks——

Public Bill Office, and Clerk of Fees——W. Gibbons, Esq., C.B.

Clerk of the Journals——W. H. Ley, Esq.

Committee Office——F. St. George Tupper, Esq.

Private Bill Office——J. H. W. Somerset, Esq.

Senior Clerks——H. C. Tower, Esq. ; C. V. Frere, Esq. ; G. C. Giffard, Esq.; Sir E. H. Doyle, Bart., S. L. Simeon, Esq. ; Arthur I. Dasent, Esq.

Assistant Clerks——Horace West, Esq. ; Henry A. Ferguson-Davie, Esq. ; Arthur H. Ellis, Esq. ; Percy A. Bull, Esq. ; F. R. Williams Wynn, Esq. ; W. E. Grey, Esq. ; F. C. Holland, Esq. ; J. W. G. Bond, Esq. ; H. C. Dawkins, Esq. ; R. P. Colomb, Esq.

Junior Clerks——B. H. Fell, Esq. ; R. E. Childers, Esq. ; J. Scott Porter, Esq., F. C. Bramwell, Esq. ; W. T. Legge, Esq.; C. R. Turner, Esq. ; W. K. Gibbons, Esq. ; K. J. C. Moorsom, Esq. ; W. P. Johnston, Esq. ; J. Barlow, Esq. ; Hon. H. R. C. Balfour ; R. N. Bailey, Esq. ; G. F. M. Campion, Esq. ; S. De la Poer Beresford, Esq.

Serjeant-at-Arms——H. D. ERSKINE, Esq., C.V.O.
Deputy Serjeant——F. R. GOSSET, Esq.
Assistant Serjeant——W. H. ERSKINE, Esq.
Office Messenger——Mr. C. J. H. SHEARN.
Chaplain to the House——The Ven. Archdeacon BASIL WILBERFORCE, D.D.
Secretary to the Speaker——Hon. EDWARD GULLY, C.B.
Counsel to the Speaker——Hon. Sir E. CHANDOS LEIGH, K.C., K.C.B.
Trainbearer——Mr. W. MURRELL.
Messenger——Mr. W. HOLT.
Collector of Fees on Private Bills——C. L. LOCKTON, Esq.
Clerk to Referees——Sir E. H. DOYLE, Bart.
Examiners of Private Bills——C. W. CAMPION, Esq. ; J. F. SYMONS JEUNE, Esq.
Taxing Master——C. W. CAMPION, Esq. ; Clerk——F. C. BRAMWELL, Esq.
Vote Office——
  Principal Clerk——PHILIP SMITH, Esq.
  Assistant Clerks——JOHN POYSER, Esq. ; W. K. SANDERSON, Esq.
  Messenger——Mr. JOHN EDWARDS.
Librarian——R. C. WALPOLE, Esq. ; Assistant Librarian——A. E. A. W. SMYTH, Esq. Clerks in Library——Messrs. J. R. CRIMP, WM. STEWART ; Messengers——Messrs. A. FIRMIN, W. HAGUE.
Shorthand Writer——W. H. GURNEY SALTER, Esq.
Printers——
  Journals——G. E. BRISCOE EYRE, Esq.
  Votes——J. B. NICHOLS, Esq.
Postmaster——Mr. I. LINCOLN ; Hall Keeper——Mr. J. GLYNN.
Office Keeper——Mr. H. BULLOCK.
Office Clerk in Committee Office——Mr. T. FIELDEN MITCHELL.
Office Clerk in Journal Office——Mr. A. A. TAYLOR.
Messengers——Messrs. C. DAVIE, H. JONES, G. D. WELLER, J. ARMSTRONG, J. WOODWARD, J. IVORY, G. NORMAN, J. SURREY, A. SEPPLE.
Doorkeepers——Mr. M. INGLEFIELD and Mr. H HAMBLING.
Messengers (1st Class)——Mr. C. WOODCRAFT, Mr. R. ROBERTSON, Mr. J. HILLS, Mr. J. SPRAGUE, Mr. A. ANDREWS, Mr. T. B. SPRAY, Mr. G. ANSTEY, Mr. J. H. DAY, Mr. J. HENDERSON,
Messengers (2nd Class)——Messrs. G. WAINWRIGHT, J. GUYATT, R. TURTLE, A. HASKELL, A. C. JOHNSON, G. CLAPPERTON, H. E. LININGTON, H. G. EMMETT, J. L. PHILIP, W. FINDLAY, W. MACDONALD, W. R. BRIMSON.
Superintendent of Members' Waiting Room——Mr. J. F. HENLEY ; Assistant——Mr. W. BROADBENT ; Porters——Messrs. J. HART and G. FRY.
Inspector of Police attending the House of Commons——Mr. SCANTLEBURY.

TABLE OF CONTENTS

TO

VOLUME CLXIV.

THIRTEENTH VOLUME OF SESSION 1906.

Page

HOUSE OF LORDS: MONDAY, 5TH NOVEMBER, 1906.

The Earl of ONSLOW sat Speaker.

Several Lords took the Oath.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against—of inhabitants of the towns or parishes of Brandesburton; Frogmore (St. Albans); Hempton; St. Michaels-on-Wyre; Little Rissington; Aldborough; Wyfordley; Oldham; Ardwick, near Manchester (St. Thomas); Martin-cum-Gregory; Appleton; Timsbury; Perranzabuloe; Sturry; Thurgarton; Hoveringham; Newton Heath, Manchester (All Saints); Fulham (All Saints); Deptford (St. Paul); Bolton (St. John's); Aberford; Littlebourne, near Dover; Babbacombe; Letterston; Sherborne; Llanvaches; Llandegley; Whitton; Luddendon; Llanichangel; Thornby; Seaton; Gorton; Loughton; Manchester; Egginton; Gray's Inn Road (St. Jude's); Crumdale; Monkwearmouth (Venerable Bede); Belton; Barrow-on-Soar; St. Mark's (Leicester); St. Saviour's (Leicester); Newfoundport (St. Augustine's); Netherbroughton; Barkstone and Plungar; Evington; Lockington and Hemmington; Sunderland (St. John's); Osmotherley (2); Tixover; Turnditch; Farthingstone; Turley; Loxbeare; Cerney; Foston; Rushden; Mears-Ashby; Markfield; Frisley-on-the-Wreak; Swithland; Kirby-Muxloe; Glenfield; Countesthorpe; Blaby; Market Harborough; Great Bowden; Milton; Foxton; Stoncon Wyville; Weldon; Floore; Westonby-Welland; Welham; Sutton Bassett Shepshed; and Worfield. Of teachers in schools in the deaneries of Guthlaxton (2); Framland I.; Framland II.; and South Akeley (Peterborough). Of parents or guardians of children attending schools at Lutterworth; Thrussington; Cranse; Bottesford; Awre; Lowesby; Twycross; Orton-on-Hill; Weston-by-Welland; Aldwincle; Floore; Weldon; and Market Harborough. Of trustees of Church of England schools in the dioceses of Peterborough (3); and Salisbury. Of the National Protestant League, Hyde Park Branch (Chester); and of Church workers in the county of Leicester.

Read, and ordered to lie on the Table 1

Nov. 5.]

Page

COUNTY COUNCILS.—Petition in favour of legislation to enable women to serve on county councils; of the London County Council; read, and ordered to lie on the Table 3

RETURNS, REPORTS, ETC.

COLONIES (COLONIAL IMPORT DUTIES, 1906).—Return relating to the rates of import duties levied upon the principal and other articles imported into the British Colonies, Possessions, and Protectorates 3

GAS AND WATER ORDERS.—Report by the Board of Trade of their proceedings under the Gas and Waterworks Facilities Act, 1870, during the session of 1906 3

IRISH LAND COMMISSION.—Return of advances under the Irish Land Act, 1903, during the period from 1st November, 1903, to 1st December, 1905. Vol. I., Part IV. 3

TRADE IMPORTS, ANNUAL SERIES.—No. 3727. France (Trade of St. Pierre and Miquelon for 1905). No. 3728. Persia (Trade of the provinces of Sistan and Kain for the year ended 20th February, 1906) 3

FRANCE, No. 1 (1906).—Convention between the United Kingdom and France, confirming the Protocol signed at London on 27th February, 1906, respecting the New Hebrides.

Presented (by Command) and ordered to lie on the Table 3

SUPERANNUATION.—Treasury minute, dated 31st October, 1906, declaring that Henry Ray, boy, Royal Laboratory, War Department, was appointed without a Civil Service certificate through inadvertence on the part of the head of his department. Laid before the House (pursuant to Act), and ordered to on the Table 4

A QUESTION OF PRIVILEGE.

The Lord Privy Seal (*The Marquess of Ripon*) 4

Moved, "That notice having been taken that the following Lords, viz., the Lord Manners, the Lord Clements (E. Leitrim), the Lord Grimthorpe, and the Lord Armstrong voted in certain divisions during the present session without having previously taken the Oath, the entries in the Journals be amended by striking out the names of the said Lords from the lists of divisions in which they voted before taking the Oath."—(*The Marquess of Ripon.*)

The Earl of Halsbury 5
The Earl of Camperdown 6
Lord Clifford of Chudleigh 8
Lord Grimthorpe 9
Lord Ashbourne 10
Lord Braye 10
The Marquess of Ripon 11
The Earl of Halsbury 12
The Marquess of Lansdowne 12

Motion, by leave, withdrawn.

Nov. 5.]

Page

Education (England and Wales) Bill.—House again in Committee (according to Order).

[The Earl of ONSLOW in the Chair.]

Clause 3 :—

The Lord President of the Council (*The Earl of Crewe*) 13
Viscount St. Aldwyn 13

Amendment moved—

"In page 3, line 17, after the word 'it,' to insert the words 'where an existing voluntary school is not continued on account of its not being required for the purpose of providing sufficient public school accommodation, the local education authority shall be bound, on the requisition of the owners of the school house to afford facilities for the special religious instruction hitherto given in that school in some other school accessible to children resident in the same area as those who have attended the school which is not continued.'"—(*Viscount St. Aldwyn.*)

The Earl of Crewe 14
The Marquess of Lansdowne 16
The Lord Bishop of Southwark 17
Lord Stanley of Alderley 17
The Lord Bishop of Birmingham 18
Viscount St. Aldwyn 19

Amendment, by leave, withdrawn.

The Lord Archbishop of Canterbury 19

Amendment moved—

"In page 3, line 20, after the word 'authority,' to insert the following new sub-section :—(3) Any question which may arise under this section between the parent of any child attending the school or the persons providing or proposing to provide any religious instruction in pursuance of any facilities afforded or acquired under this section, and the local education authority shall be determined by the Board of Education.'"—(*The Lord Archbishop of Canterbury.*)

The Earl of Crewe 20
The Marquess of Salisbury 23
The Lord Archbishop of Canterbury 24
The Marquess of Lansdowne 24
The Earl of Crewe 25

On Question, Amendment agreed to.

The Lord Bishop of Winchester 25

Nov. 5.] *Page*

Amendment moved—

“In page 3, line 20, after ‘authority’ to insert ‘(3) A local education authority shall give permission that the religious instruction of a special character given under this section may be inspected, but no part of the expense of such inspection shall be paid by the local education authority.’”—(*The Lord Bishop of Winchester.*)

Lord Stanley of Alderley 26
The Earl of Crewe 26

Amendment, by leave, withdrawn.

The Lord Bishop of Salisbury 27

Amendment moved—

“In page 3, line 20, after ‘authority,’ to insert the following new sub-section:—‘(3) If associations are constituted in such manner and in such areas with such governing bodies representing the owners and trustees as are approved by the Board of Education, it shall be lawful for such associations to take over the powers, duties, and funds of the existing associations of voluntary schools, constituted under the Voluntary Schools Act, 1897, and also to receive any sums payable for the purchase or hire of schools in their areas and to administer them for the purpose of carrying out the trusts or purposes for which such schools have been previously held, including payments for religious instruction, and to perform any other duties, and to exercise any other powers which the owners or trustees of such schools may think fit to delegate to them.’”—(*The Lord Bishop of Salisbury.*)

The Earl of Crewe 28
Lord Barnard 29

Amendment, by leave, withdrawn.

Moved, “That Clause 3, as amended, stand part of the Bill.”

The Earl of Crewe 31
The Lord Bishop of Oxford 33
The Earl of Camperdown 34
The Lord Archbishop of Canterbury 34
The Earl of Crewe 35

On Question, Motion agreed to.

Clause 4:—

Lord Heneage 35

Amendment moved—

“In page 3, line 21, to leave out the word ‘may’ and insert the word ‘shall.’”—(*Lord Heneage.*)

Page

The Marquess of Salisbury 35
The Under-Secretary of State for Foreign Affairs (Lord Fitzmaurice) .. 42
Viscount Llandaff 44
Viscount Halifax 45
Viscount St. Aldwyn 45
The Lord Bishop of London 46
The Earl of Crewe 46
Lord Davey 50

On Question, "Whether the word 'may' shall stand part of the clause," their Lordships divided:—Contents, 46; Not Contents, 157.

Word "shall" inserted.

Viscount Llandaff 53

Amendment moved—

"In page 3, line 24, after the word '1870,' to insert the words 'and in accordance with the trust deed, if any, of the school,' and to leave out 'any,' and insert 'every.'"—(*Viscount Llandaff.*)

The Earl of Crewe 53
Viscount Llandaff 53

On Question, Amendment agreed to.

The Earl of Jersey 53

Amendment moved—

"In page 3, line 24, to leave out the words 'in an urban area.'"—(*The Earl of Jersey*).

The Marquess of Londonderry 55
Lord Fitzmaurice 59
Lord Zouche of Haryngworth 64
Viscount Halifax 66
The Lord Bishop of Hereford 67
The Lord Bishop of Birmingham 69
Viscount Galway 70
The Earl of Crewe 70
The Marquess of Lansdowne 75
The Marquess of Ripon 77

On Question, whether the words proposed to be left out shall stand part of the clause, their Lordships divided:—Contents, 44; Not-Contents, 180.

The Lord Archbishop of Canterbury 79
The Earl of Crewe 81

House resumed, and to be again in Committee to-morrow.

Metropolitan Electric Supply Bill.—The Chairman of Committees informed the House that the opposition to the Bill was withdrawn. The orders made on the 24th October and Wednesday last discharged, and Bill committed .. 81

House adjourned at five minutes past Eleven o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS: MONDAY, 5TH NOVEMBER, 1906.

The House met at quarter before Three of the Clock.

NEW WRIT.—New Writ for the County of Armagh (North Armagh Division) in the room of Colonel the Right Hon. Edward James Saunderson, deceased. —(*Sir Alexander Acland-Hood.*) 82

PRIVATE BILL BUSINESS.

Clydebank and District Water and Burgh Extension Order Confirmation Bill.—Read a second time; to be considered upon Wednesday .. 82

PETITION.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.—Petition from Clun, in favour, to lie upon the Table 82

RETURNS, REPORTS, ETC.

IRISH LAND COMMISSION.—Copy presented, of Return of Advances made under the Irish Land Act, 1903, during the period from 1st November, 1903, to 31st December, 1905 [by Command]; to lie upon the Table 82

GAS AND WATER ORDERS.—Copy presented, of Report by the Board of Trade of their Proceedings under the Gas and Water Works Facilities Act, 1870, during the session of 1906 [by Command]; to lie upon the Table 82

SUPERANNUATION ACT, 1884.—Copy presented, of Treasury Minute, dated 31st October, 1906, declaring that Henry Ray, boy, Royal Laboratory, War Office, was appointed without a Civil Service certificate through inadvertence on the part of the Head of his Department [by Act]; to lie upon the Table 82

COLONIAL REPORTS (ANNUAL).—Copy presented, of Colonial Report No. 507 (Southern Nigeria (Lagos), Annual Report for 1905 [by Command]; to lie upon the Table 82

COTTON GROWING.—Return presented, relative thereto [Address 31st October; *Mr. Rees*]; to lie upon the Table 83

FRANCE (No. 1, 1906).—Copy presented, of Convention between the United Kingdom and France confirming the Protocol signed at London on 27th February, 1906, respecting the New Hebrides [by Command]; to lie upon the Table 83

Page

TRADE REPORTS (ANNUAL SERIES).—Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 3727 and 3728 [by Command]; to lie upon the Table 83

COAL (EXPORT DUTY).—Return ordered, "showing (a) the total amount of coal exported from the United Kingdom from the date of the duty coming into force to its expiration; (b) the total amount of the coal exported liable to duty; (c) the total amount of the duty collected."—(*Mr. Fell.*) 83

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

NAVAL PROGRAMME—DISTRIBUTION OF SHIPS.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson 83

ACCIDENTS CAUSED BY MOTOR TRAFFIC.—Question, Mr. Channing (Northamptonshire, E.); Answer, Mr. Gladstone 84

STATUTES OF GLASGOW AND BRIGHTON TELEPHONE STAFF.—Question, Mr. Nuttall (Lancashire, Stretford); Answer, Mr. Sydney Buxton 87

CHRISTMAS PRESSURE AT THE POST OFFICE—REMUNERATION FOR EXTRA WORK. —Question, Sir Charles Schwann (Manchester, N.); Answer, Mr. Sydney Buxton 87

SEDITION IN INDIA.—Question, Mr. Rees (Montgomery Boroughs); Answer, Mr. Morley 88

INDIAN ARMY REDISTRIBUTION SCHEME.—Question, Sir H. Cotton (Nottingham, E.); Answer, Mr. Morley 89

SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS IN INDIA.—Question, Mr. Hart-Davies (Hackney, N.); Answer, Mr. Morley 89

REINSTATEMENT OF DANIEL O'SHEA ON KENMORE ESTATE.—Question, Mr. Murphy (Kerry, E.); Answer, Mr. Bryce 89

SALARIES OF IRISH NATIONAL SCHOOL TEACHERS.—Question, Mr. John O'Connor (Kildare, N.); Answer, Mr. Bryce 90

SCHOOL ACCOMMODATION IN KILDARE AND LEIGHLIN.—Question, Mr. John O'Connor; Answer, Mr. Bryce 90

THE BRITISH FLAG AT THE MUNSTER CONNAUGHT EXHIBITION.—Question, Captain Craig (Down, E.); Answer, Mr. Bryce 91

MIDDLEMEN AND IRISH LAND PURCHASES.—Question, Mr. James O'Kelly (Roscommon, N.); Answer, Mr. Bryce 92

EXTENSION OF ARKLOW PIER.—Question, Sir Thomas Esmonde (Wexford, N.); Answer, Mr. Bryce 93

CIVIL EMPLOYMENT OF EX-SOLDIERS AND SAILORS.—Question, Mr. Fetherstonhaugh (Fermanagh, N.); Answer, Mr. Haldane 94

INCREASE OF PIRACY ON THE CHINA STATIONS.—Question, Mr. Bellairs Answer, Sir Edward Grey 95

Nov. 5.] Page

MOTOR TRAFFIC—SPEED LIMITS IN SCOTLAND.—Question, Mr. Weir (Ross and Cromarty); Answer, Mr. Sinclair 95

PERTH PRISON.—Question, Mr. Mitchell-Thomson (Lanarkshire, N.W.); Answer, Mr. Sinclair 96

ELIGIBILITY OF TERENCE DALY, POSTMAN, OF BUNDORAN, FOR PENSION.—Question, Mr. Fetherstonhaugh; Answer, Mr. Sydney Buxton 98

POSTAL FACILITIES AT ARDMAYLE, COUNTY TIPPERARY.—Question, Mr. Kendal O'Brien (Tipperary, Mid.); Answer, Mr. Sydney Buxton .. 98

BRITISH DELEGATES AT THE BERLIN CONFERENCE ON WIRELESS TELEGRAPHY.—Question, Mr. Henniker Heaton (Canterbury); Answer, Mr. Sydney Buxton 98

DANGER TO POSTMEN AT CARSTAIRS JUNCTION.—Question, Mr. James O'Connor; Answer, Mr. Sydney Buxton 99

COST OF MAINTENANCE OF GARDEN FOR OFFICER OF ORDNANCE SURVEY, DUBLIN.—Question, Mr. Field (Dublin, St. Patrick); Answer, Sir Edward Strachey 100

IRISH ORDNANCE SURVEY—BOOK-BINDING AND MAP MOUNTING WORK.—Question, Mr. Field; Answer, Sir Edward Strachey 100

APPROPRIATION OF PART OF WHITLEY COMMON, SURREY.—Question, Mr. Cowan (Surrey, Guildford); Answer, Sir Edward Strachey 101

DAMAGE TO ENGLISH FISHING GEAR BY FOREIGN TRAWLERS.—Question, Mr. Mallet (Plymouth); Answer, Mr. Lloyd-George 101

IRISH ORDNANCE SURVEY AND THE DEPARTMENT OF AGRICULTURE.—Question, Mr. Field; Answer, Sir Edward Strachey 102

CROWN AND QUIT RENTS IN IRELAND.—Question, Mr. Field; Answer, Mr. McKenna 102

BRIDGE ACROSS THE SUIR AT WATERFORD, APPORTIONMENT OF COST.—Question, Mr. Kendal O'Brien; Answer, Mr. Bryce 103

RE-INSTATEMENT OF EVICTED TENANTS—CASE OF GARRET STYNES.—Question, Mr. Kilbride (Kildare, S.); Answer, Mr. Bryce 104

BALLYCASTLE HARBOUR IMPROVEMENT.—Question, Mr. Sloan (Belfast, S.); Answer, Mr. Bryce 104

QUESTIONS IN THE HOUSE.

CHATHAM DOCKYARD.—Questions, Mr. Jenkins (Chatham), Mr. J. Ward (Stoke-on-Trent); Answer, The Secretary to the Admiralty (Mr. Edmund Robertson, Dundee) 105

NAVAL POLICY.—Question, Sir Gilbert Parker (Gravesend); Answer, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 106

Nov. 5.] *Page*

NAVAL GUN PRACTICE IN START BAY.—Question, Mr. Mildmay (Devonshire, Totnes); Answer, Mr. Edmund Robertson 106

METROPOLITAN VOLUNTEERS.—Question, Sir Howard Vincent (Sheffield, Central); Answer, The Secretary of State for War (Mr. Haldane, Haddington) 107

PAYMASTERS' DEPARTMENT OF THE WAR OFFICE.—Question, Mr. Vincent Kennedy (Cavan, W.); Answer, Mr. Haldane 107

SOUTH AFRICAN WAR MEDALS.—Question, Dr. Rutherford (Middlesex, Brentford); Answer, Mr. Haldane 108

DISCHARGES FROM NETLEY HOSPITAL.—Questions, Lord R. Cecil (Marylebone, W.), Mr. Crooks (Woolwich), Mr. Ashley (Lancashire, Blackpool), Mr. Claude Hay (Shoreditch, Hoxton), Mr. Delany (Queen's County, Ossory), Mr. T. L. Corbett (Down, N.); Answers, Mr. Haldane 108

AGITATION IN BENGAL.—Question, Mr. Rees (Montgomery Boroughs); Answer, The Secretary of State for India (Mr. Morley, Montrose) 110

MADRAS PROVINCIAL CONFERENCE.—Question, Mr. Hart Davies (Hackney, N.); Answer, Mr. Morley 111

NEW INDIAN CANTONMENT.—Question, Sir H. Cotton (Nottingham, E.); Answer, Mr. Morley 112

CENTRAL AFRICA—PROPOSED LEGISLATIVE COUNCIL.—Question, Mr. Rees; Answer, The Under-Secretary for the Colonies (Mr. Churchill, Manchester, N.W.) 112

BRITISH GUIANA—CROWN AGENT'S MONOPOLIES.—Question, Mr. Fell (Great Yarmouth); Answer, Mr. Churchill 113

TRANSVAAL MINES—WHITE AND COLOURED LABOUR.—Question, Sir Gilbert Parker; Answer, Mr. Churchill 113

GAMING LICENCES IN THE MALAY STATES.—Question, Mr. Laidlaw (Renfrewshire, E.); Answer, Mr. Churchill 114

NEWFOUNDLAND.—Questions, Mr. Ashley, Mr. Lyttelton (St. George's, Hanover Square), Sir Gilbert Parker, Sir Howard Vincent; Answer, Mr. Churchill .. 115

FORCED LABOUR IN WEST AFRICA.—Question, Mr. Cathcart Wason (Orkney and Shetland); Answer, Mr. Churchill 116

CHINESE LABOURERS IN THE RAND MINES.—Question, Mr. Pickersgill (Bethnal Green, S.W.); Answer, Mr. Churchill 118

FORCED UNPAID LABOUR IN WEST AFRICA.—Question, Mr. Cathcart Wason; Answer, Mr. Churchill 119

THE ATTACKS ON MR. CREWE READ.—Question, Mr. Cathcart Wason; Answer, Mr. Churchill 119

Nov. 5.]

Page

CONGO STATE ADMINISTRATION.—Question, Mr. Fullerton (Cumberland, Egremont); Answer, The Secretary to the Local Government Board (Mr. Runciman, Dewsbury) 119

PROBATE ADMINISTRATION IN SCOTLAND.—Question, Mr. Soars (Cheltenham); Answer, The Chancellor of the Exchequer (Mr. Asquith, Fifeshire, E.) .. 120

THE BANK RATE.—Question, Mr. Hart Davies; Answer, Mr. Asquith 121

IMPORTED SOAP.—Question, Mr. Bottomley; Answer, Mr. Asquith 121

LIVERPOOL VICTORIA LEGAL FRIENDLY SOCIETY.—Questions, Mr. J. P. Nannetti (Dublin, College Green), Sir Howard Vincent (Sheffield, Central), Mr. Snowdon (Burnley); Answers, The Financial Secretary of the Treasury (Mr. McKenna, Monmouthshire, N.) 121

THE OFFICIAL DEBATES.—Question, Mr. Byles; Answer, Mr. McKenna .. 123

CLERKS TO THE COMMISSIONERS OF TAXES.—Question, Mr. Myer; Answer, Mr. McKenna 123

THE GERMAN GIPSIES.—Questions, Mr. Claude Hay, Sir Howard Vincent, Mr. Lupton (Lincolnshire, Sleaford); Answers, The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 123

METROPOLITAN CAB FARES.—Questions, Mr. H. H. Marks (Kent, Thanet), Mr. Norman (Wolverhampton, E.); Answer, Mr. Gladstone 124

CHILDREN AND MOTOR TRAFFIC.—Question, Mr. Cathcart Wason; Answer, Mr. Gladstone 125

ROYAL COMMISSION ON VIVISECTION.—Question, Mr. Lupton; Answer, Mr. Gladstone 125

LOUGHBOROUGH BRUSH COMPANY AND THE TRUCK ACT.—Question, Mr. T. F. Richards (Wolverhampton, W.); Answer, Mr. Gladstone 126

MOTOR SPEEDS.—Questions, Mr. Cathcart Wason, Mr. T. F. Corbett (Down, N.); No Answer was returned; Answer, Mr. Gladstone 126

PASSIVE RESISTERS.—Question, Mr. Whitehead (Essex, S.E.); Answer, The President of the Local Government Board (Mr. John Burns, Battersea) .. 127

STANDING JOINT COMMITTEE.—Question, Mr. Rees; Answer, Mr. John Burns .. 128

MALTON PAUPERS.—Question, Mr. Leif Jones (Westmoreland, Appleby); Answer, Mr. John Burns 128

THIRD CLASS SLEEPING CARS ON RAILWAYS.—Question, Mr. Morton (Sutherland); Answer, The Secretary to the Board of Trade (Mr. Kearley, Devonport) .. 129

LIFE INSURANCE FUNDS.—Question, Mr. Myer; Answer, Mr. Kearley 130

DAMAGE TO BRIXHAM TRAWLER BY FRENCH BOATS.—Question, Mr. Layland-Barratt (Devonshire, Torquay); Answer, Mr. Kearley 130

Page

Penny Post Between America and New Zealand.—Question, Mr. Morton; Answer, The Postmaster-General (Mr. Sydney Buxton, Tower Hamlets, Poplar) 131

Wireless Telegraphy.—Questions, Sir Edward Sassoon (Hythe), Mr. Balfour (City of London); Answers, Mr. Sydney Buxton 131

Windlesham Motor Fatality.—Question, Mr. Markham (Surrey, Chertsey); Answer, The Attorney-General (Sir John Walton, Leeds, S.) 132

The Long Vacation.—Question, Mr. H. J. Craig (Tynemouth); Answer, Sir John Walton 133

Small Holdings in Scotland.—Question, Mr. Mitchell-Thomson (Lanarkshire); Answer, The Secretary of State for Scotland (Mr. Sinclair, Forfarshire) 133

Aignish Crofter Houses, Island of Lewis.—Question, Mr. Weir (Ross and Cromarty); Answer, Mr. Sinclair 133

Battery Park, Stornoway.—Questions, Mr. Weir; Mr. Morton; Answers, Mr. Sinclair 134

Deer Forests and Crofters' Crops.—Question, Mr. Weir; Answer, Mr. Sinclair 135

Scotch Local Government Board Inspectors.—Question, Mr. Weir; Answer, Mr. Sinclair 135

Scottish Agricultural Statistics.—Question, Mr. A. Dewar, (Edinburgh, S.); Answer, Mr. Sinclair 135

Lewis and the Equivalent Grant.—Question, Mr. Weir; Answer, Mr. Sinclair 136

Scottish Fishery Inspection.—Questions, Mr. Morton, Mr. Weir; Answers, Mr. Sinclair 137

Underfed Children in the Island of Lewis.—Question, Mr. Weir; Answer, Mr. Sinclair 137

House Letting in Scotland.—Question, Mr. Cleland (Glasgow, Bridgeton); Answer, Mr. Sinclair 138

Scottish Grand Committee.—Question, Mr. Crombie (Kincardineshire); Answer, Sir H. Campbell-Bannerman 138

Harris Tweed Combination.—Question, Mr. Fell; Answer, Sir H. Campbell-Bannerman 138

Newfoundland.—Question, Sir Gilbert Parker; Answer, Sir H. Campbell-Bannerman 138

Underfed School Children.—Question, Mr. Bottomley (Hackney, S.); , Sir H. Campbell-Bannerman 139

Nov. 5.] Page

CRIMEAN WAR FUND.—Question, Mr. Byles; Answer, Sir H. Campbell-Bannerman 139

BUSINESS OF THE HOUSE.—Questions, Sir Joseph Leese (Lancashire), Mr. A. J. Balfour (City of London), Sir A. Acland Hood (Somersetshire, Wellington), Sir Howard Vincent, Mr. Evelyn Cecil (Aston Manor), Mr. Abel Smith (Hertfordshire, Hertford); Answers, Sir H. Campbell-Bannerman .. 140

Public Health Acts (Building Bye-Laws) Bill. [LORDS].—Read the first time; to be read a second time upon Wednesday, and to be printed. [Bill 347] 142

MESSAGE FROM THE LORDS.—That they have agreed to, Sale of Intoxicating Liquors (Ireland) Bill, without Amendment 142

BUSINESS OF THE HOUSE (TRADE DISPUTES BILL)—Motion made, and Question put, "That the proceedings on the further consideration of the Trade Disputes Bill, as amended, if under consideration at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House).—(*Sir H. Campbell-Bannerman.*)

The House divided:—Ayes, 297; Noes, 76. (Division List No. 372) .. 142

Trade Disputes Bill.—As amended, further considered.

Sir Frederick Banbury (*Camberwell, Peckham*) 145

Amendment proposed—

"In page 1, line 24, to leave out Clause 3."—(*Sir Frederick Banbury.*)

Question proposed, "That the words down to 'an act done' stand part of the Bill."

The Attorney-General (*Sir John Walton, Leeds, S.*) 149
Lord R. Cecil (*Marylebone, E.*) 151
Mr. Clement Edwards (*Denbigh Districts*) 151
Mr. Lyttelton (*St. George's, Hanover Square*) 155
Viscount Castlereagh (*Maidstone*) 156

Question, "That the words 'an act done' stand part of the Bill," put, and agreed to.

Sir Charles Dilke (*Forest of Dean*) 157

Amendment proposed—

"In page 1, line 25, after the word 'actionable,' to insert the words 'whether or not malice be alleged.'"—(*Sir Charles Dilke.*)

Question proposed, "That those words be inserted in the Bill."

Sir John Walton 157

Amendment, by leave, withdrawn.

Nov. 5] *Page*

Amendment proposed—

"In page 1, line 25, to leave out the words 'as tort.'"—(*The Attorney-General.*)

Amendment agreed to.

Sir Frederick Banbury (*City of London*) 157
Mr. Stanley Wilson (*Yorkshire, E.R., Holderness*) 159

Amendment proposed—

"To leave out Clause 4."—(*Sir F. Banbury.*)

Question proposed, "That the words 'An action againsta trade union, stand part of the Bill."

Mr. Stuart Wortley (*Sheffield, Hallam*) 161
Sir John Walton 162
Mr. F. E. Smith (*Liverpool, Walton*) 164
Mr. Lyttelton 166
Mr. Samuel Evans (*Glamorganshire, Mid.*) 167
Mr. A. J. Balfour (*City of London*) 169
Mr. Clement Edwards 170

Question put, "That the words 'in an action against the trade unions,' stand part of the clause.

The House divided :—Ayes, 342 ; Noes, 72. (Division List No. 373.)

Amendment proposed—

"In page 2, line 4, to leave out the words, 'or any branch thereof.'" (*Sir John Walton.*)

Amendment agreed to.

Sir John Walton 175

Amendment proposed—

"In page 2, lines 5 and 6, to leave out the words, 'or officials.'"—(*Sir John Walton.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Clement Edwards 176
Sir Charles Dilke 178
Sir John Walton 178
Lord R. Cecil 180
Mr. Samuel Evans 180
Mr. Atherley Jones (*Durham, N.W.*) 181
Mr. Rufus Isaacs (*Reading*) 182
The Chancellor of the Exchequer (*Mr. Asquith, Fifeshire, E.*) 186
Sir Edward Carson (*Dublin University*) 186

Nov. 5.] Page

Mr. Astbury (Lancashire, Southport) 188
Mr. Clavell Salter (Hants, Basingstoke) 190
Mr. Shackleton (Lancashire, Clitheroe) 191
Mr. R. Duncan (Lanarkshire, Govan) 191

Amendment negatived.

Sir John Walton 191

Amendment proposed—

"In page 2, line 7, to leave out the words 'for the recovery of damages.'"—(*Sir John Walton.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. A. J. Balfour 193
The Solicitor-General (Sir W. Robson, South Shields) 195
Mr. Stewart Smith (Westmoreland, Kendal) 196
Mr. Clavell Salter 198
Mr. Micklem (Hertfordshire, Watford) 201
Mr. Pike Pease (Darlington) 202
Mr. Rawlinson (Cambridge University) 204

Question put.

The House divided:—Ayes, 45; Noes, 312. (Division List No. 374.)

Mr. Micklem 207
Mr. Herbert (Buckinghamshire, Wycombe) 208

Amendment proposed—

"In page 2, line 8, after the word 'committed,' to insert the words 'or threatened.'"—(*Mr. Micklem.*)

[Question proposed, "That those words be there inserted."

Lord R. Cecil 209
Mr. F. E. Smith 209
Mr. Horridge (Manchester, E.) 209
Sir Frederick Banbury 210

Amendment by leave withdrawn.

Mr. Atherley Jones 210
Mr. Lambton (Durham, S.E.) 213
Mr. F. E. Smith 213

Amendment proposed—

"After the words 'Trade Union' to insert the words 'in contemplation or furtherance of a trade dispute.'"—(*Mr. Lambton.*)

Question proposed, "That those words be there inserted."

Sir John Walton 214
Lord R. Cecil 215
Viscount Turnour (*Sussex, Horsham*) 216

Question put—

The House divided :—Ayes, 69 ; Noes, 344. (Division List No. 375.)

Mr. Lambton 219

Amendment proposed—

> "In page 2, line 9, after the word 'court,' to insert the words 'if such action be brought by or on behalf of any workman or master engaged in the dispute.' "—(*Mr. Lambton.*)

Question proposed, "That those words be there inserted."

Mr. A. J. Balfour 222
Sir Frederick Banbury 224

Question put—

The House divided :—Ayes, 67 Noes, 354. (Division List No. 376.)

Mr. Rufus Isaacs (*Reading*) 229

Amendments proposed—

> "In page 2, lines 9 and 10, to leave out the words 'provided that.' "

> "In page 2, line 11, to leave out the words 'such unions.' "

> "In page 2, line 11, to insert the words 'trade unions.' "—(*Mr. Rufus Isaacs.*)

Amendments agreed to.

Mr. Rufus Isaacs 229

Amendment proposed—

> "In Clause 4, at end, to add the words, 'Except in respect to any tortious act committed by or on behalf of a trades union in contemplation or in furtherance of any trade dispute.' "—(*Mr. Rufus Isaacs.*)

Question proposed, "That those words be there inserted."

Mr. A. J. Balfour 230
Mr. Rufus Isaacs 230

Question put and agreed to.

Nov. 5.] Page

Amendment proposed—

"In page 2, line 17, at end, to add the words 'and shall include any combination as therein defined, notwithstanding that such combination may be the branch of a trade union.'"—(*Sir John Walton.*)

Question, "That those words be there inserted," put, and agreed to.

Sir John Walton 232

Amendment proposed—

"In page 2, line 17, at end, to add the words 'In this Act and in the Conspiracy and Protection of Property Act, 1875, the expression 'trade dispute' means any dispute which is connected with the employment or non-employment or the terms of employment, or with the conditions of labour, of any workman, and in Section 3 of the last mentioned Act the words 'between employers and workmen, shall be repealed.'"—(*Sir John Walton.*)

Question proposed, "That those words be there inserted."

Lord R. Cecil 233

Question put and agreed to.

Lord R. Cecil 233
Sir John Walton 234
Lord R. Cecil 234
Mr. A. J. Balfour 234
Mr. Charles Craig (*Antrim, S.*) 236

Bill to be read the third time To-morrow.

Whereupon Mr SPEAKER adjourned the House without Question put pursuant to the Resolution of the House of the 4th August last.

Adjourned at twenty-six minutes after Eleven o'clock.

HOUSE OF LORDS: TUESDAY, 6TH NOVEMBER, 1906.

Several Lords took the Oath.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against. 1. Of inhabitants, parishioners, ratepayers, or parents of children attending schools in the following towns or parishes, viz.—Llandaff; Barnack-cum-Southorpe; Ipswich (St. Clement's); Blackburn (St. Paul's); Stoke-on-Trent; Marsworth; Hamer; Longgrove; Canterbury (St. Gregory); Streat; Frampton Cotterell; Teston; Teston; Radlett; Bullington; Lydd; Knaresborough; Idle; Berwick; Shipley; South Leverton; Boughwood, Bishopstowe; Offley; Stoke Row; Bilsington; Mere; Birkenshaw;

Nov. 6.] *Page*

Bispham; Ganton; Bettws; Belchamp Olten; Birstall; Batley; Dacre and Soulby; Newbiggin; Stainton; Wedlebury; Deene-cum-Deenethorpe; Sulham; Sulham; Swindon; Chapel Allerton; North Cray; Llowes; Moor Monkton and Kersey; Moor Monkton; Burham; Scarborough; St. Arvans; St. Enedor; Wakefield (Holy Trinity); Hackforth; Mount Pellon; Wakefield (Holy Trinity); Dulwich (St. Barnabas); Bradwell; Friern Barnet; Aycliffe; Old Brentford (St. Georges) (2); Scarborough (St. Martins); Chatteris; Esdon or Exton; Nettlebed; Llanrhystyd; Pea Kirk; Thursby; Aikton (2); Waverton-cum-Dundraw; Laxton; Corston; Southampton (All Saints); Sherfield English; Hunslet; Aberavon; Morden, Merton, and Wimbledon; Lampeter Velfrey; Lowick and Slipton; Paddington (St. James); Lendfield; Gosforth-on-Tyne; Wasing; Wereham; Little Wittenham (2); Wraxall; Stedham; Liversedge; Braceborough; Hope Mausel; Belton; Orlestone; Royston; Stogumber (2); Nun Monkton; South Cadbury; Aldington; Chelford; Kirkbride; St. Pauls, Silloth; Longville, Orton; Malpas; Barrington (2); Darwen; Rustington; Failsworth; Pennington; Bromberrow; Holborn (St. John's) (2); Islington (All Saints); Barnsley; Harlow; Walcot; Fakenham; Clelwood; Slaithwaite; Heathkeld; Alderley; Messing; Vernham Dean (3); Grafton Underwood; Balderstone; Elland; Holme; Long Crendon (2); Shudy Camps; Great Orton; Holme Cultram; Wigton; Chichester and District (2); Preston-on-Stour; St. Mary Stoke (Ipswich); Wimlish (Saffron Walden); Petersham; South Raynham; Helhoughton; York (St. Lawrence); Swanbourne; Hinton; Seer Green; Monkton and Herrington; Clunbury; Drayton; Hindringham; Bournemouth (St. John's); Bournemouth; Branksome; Stinchcombe; Hinton-on-the-Green; Llancarfan; Moggerhanger; Armley and Wortley; Prestbury (2); Eaton; Cannington; Dowdeswell; Hampnett and Stowell; Martindele; Thursby; Rosley-with-Woodside; Hampnett and Stowell; Sambrook; Upton; Newark-on-Trent; Arnold; Bleasby; Newark; Shelton; Codnor and Loscoe (2); Breedon-on-the-Hill; Sparkenhoe; Brighouse; Canterbury (St. Martin's); Redenhall (2); White Colne; Llandon; Culmington; Edgcott; Acton Turville; Stockland; Sibthorpe; Cuddesdon; Gonalston; Wingerworth; Lullington; Doverage; Ossington; East Bridgford; Sunninghill; Tideswell; Carsington (2); Llangattock; Torquay (St. Lukes); Laxton; Llanvihangel; Bramley; Barrow Gurney; Newbury; St. Erth; Caterham Valley; Westonbirt (2); Llandewi; Shaw; Cofton Hackett; Waterhead; Stone; Nether Stowey (2); Crick; Wentbridge (2); Eltham; Llangattock; Little Horwood (2); Burchetts Green; Stubbings; Little Billing; Shaw; Cranborne; Long Wittenham; Kirk Fenton; Darrington; Hull (St. James'); Darrington; Normanton; Cranborne; Bettws Penport; Brassaleg; Hull; Bath; Llanetltlyd; Kelmscote; Icomb; Bolton-le-Moors; West Grinstead; Norton; Rockfield (3); Enfield Forty Hill (2); Hurley and Stubbings; Llanwrim; Norton; New Brompton; Saintbury (St. Nicholas); Bolton Percy; Leigh; Sudeley Manor (2); Speen; Perraton (South Featherstone); Wartling; Axbridge (2); Norwich; Middleton; Hoyland Nether; Whitwood Mere; Oxford (St. Mary Magdalene); Coveley; Bicton; Fiddington; Harringworth; Horsley Wood-house; Harringworth; Allestree; Newbottle and Charlton; Eakring; Ballingham; Llanrothall; Whitbourne; Middleton-on-the-Hill; Kingstone and Thruxton; Yarkhill; Lingen; Hereford (St. Martin's); Ackworth, Yorks; Leominster; Canterbury (St. Mary Magdalene); Goodrich and Marston; Yarkhill; Spelsbury; Llanwarne; Kimbolton; Islip; Aston; Ingham; Openshaw; Hessle; South Dalton; Wolvercote; Ashton-under-Lyme; Little Moss (Manchester); Leesfield; Waterloo Ashton; Park Bridge (Leesfield); Gatefield; Leesfield, Knolls Lane (Manchester); Welton;

Nov. **6.**] *Page*

Probus; Newsan-cum-Plush; Ashton (Manchester); Weeley; Berry Pomeroy; Fritwell; Leeds (St. Johns); Graveley; Hawkesbury and Tresham; Hallaton (2); Winchcombe (2); Michaelston-le-Pet; Fakenham; Highbury; Ashford; Nottingham; Westcote; Norton-sub-Hamdon; Fyfield; Biggin; Puttenham; Hucclecote; Weekley; Clandown; Whitminster (2); Whatley; King's Lynn (St. Margaret's); Brookthorpe and Whaddon; Blackburn (St. Michael's); Penzance (St. Mary's); Truro; Dunnington; South Petherton; Ashleworth; Hinckley; Bray; Langford; Holmes (Askington); Mareham and Garford; Penzance (St. Mary's); Bonvilston; Glodwick (St. Mark's); Sleaford and District; Walton-le-Dale; Pontenewydd; Horsley (2); Frankby; Coleford; Blackburn (St. Silas); Holcombe; Cheltenham (St. John's and St. Mark's); Boston; Childrey; Llanarth; Goodby Marwood; Hanging Heaton; Garnsley; Whitbourne; Kilmington; Black Notley; Brimscombe; Staplehill; Gedling; Broadwell; Bournemouth (Saint Paul's) (2); Leafield; Raynham, East; Raynham, West; Woolston (Gloucester); Tredington; Norton; Llanvair Kilgeddin; South Cerney; Haughton (Saint Mary's); Chedworth; Clevedon; Trull; Cawthorne; Princes Risborough; Tickencote; Bishopsworth; Marbury; Culham; Lydney; Worksop; Dyffryn; Kilburn (St. Augustine's); Farnsfield; Leicester; Scarborough; Kingswinsford (St. Mary's); Lyminster; Westham; Pevensey; Westmeston; Isfield; Brighton; Amberley; Stonegate; Sedlescombe; Danehill; Slindon; Woolbeding; Brighton (St. Stephen's); Southover; Eastbourne (All Saints); Mayfield; Clapham and Patching; Hastings (All Saints); East Chiltington; Compton and Upmarden; Bepton; Eastbourne (Holy Trinity); Brighton; Fittleworth; Eastbourne (Christ Church and St. John's); Clayton-with-Frickley; Penrith, West; Charlton and Newbottle; Norwich (St. Giles); Morley St. Botolph; East Dean; Staplefield (St. Mark's); Nuthurst; Poling; and Brighton (St. Margaret's); 2. Of Norwich Rural Deanery; Manchester Diocesan Conference; Roman Catholic Residents in the Borough of Preston; Aikton Habitation of the Primrose League; Chapter of Clergy of the Rural Deanery of Wigton; Teachers and children of the parishes of Bowness-on-Solway and Aikton; Managers of Aikton Church of England School; Managers of Bigland's School; Governors and Managers of Wiggonby Endowed School; Delegates of Managers of Affiliated Schools (Northern Division of Cumberland); and Parish Council of Aikton and Clergy and Laity of the Rural Deanery of Wigton.

Read and ordered to lie on the Table 237

RETURNS, REPORTS, ETC.

COLONIES (MISCELLANEOUS): No. 37. CEYLON.—Report on the results of the Mineral Survey in 1904–1905 by Professor W. R. Dunstan, M.A., LL.D., F.R.S., Director of the Imperial Institute.

Presented (by Command), and ordered to lie on the Table 240

SHOP HOURS ACT, 1904 (LEYTON URBAN DISTRICT).—Order made by the Council of the Urban District of Leyton, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for chemists and druggists' shops within the urban district 240

POLLING DISTRICTS (COUNTY OF LANCASTER).—Order made by the Council of the County of Lancaster re-dividing the Accrington Parliamentary Division into polling districts 240

Nov. 6.] *Page*

LUNACY ACTS, 1890 AND 1891.—Rules made by the Commissioners in Lunacy under the above Acts, with the approval of the Lord Chancellor, 1906. Laid before the House (pursuant to Act), and ordered to lie on the Table 241

Education (England and Wales) Bill.—House again in Committee (according to Order).

[The Earl of ONSLOW in the Chair.]

Clause 4 .—

Lord Kenyon 241

Amendment moved—

"In page 3, line 28, to leave out from the word 'satisfied' to the end of line 29, and to insert the words 'or in case of dispute with the applicants for the facilities, if the Board of Education are satisfied.'" (*Lord Kenyon.*)

The Lord President of the Council (The Earl of Crewe) 241
The Marquess of Lansdowne 242

Amendment, by leave, withdrawn;

The Earl of Jersey 242

Amendment moved—

"In page 3, line 28, to leave out from the word 'satisfied' to the end of line 42, and to insert, '(*a*) that a majority of the parents of the children attending the school desire such facilities; and (*b*) that satisfactory arrangements in respect of religious instruction can be made for the other children attending the school.'"—(*The Earl of Jersey.*)

The Earl of Crewe 243
Earl Cawdor 244
The Earl of Crewe 247
The Duke of Devonshire 253
The Under-Secretary of State for Foreign Affairs (Lord Fitzmaurice) 255
The Marquess of Lansdowne 255
The Earl of Camperdown 256
Viscount St. Aldwyn 257
The Earl of Crewe 259
Viscount Halifax 260
Viscount Llandaff 261
The Lord Bishop of Hereford 262
The Earl of Denbigh 263
The Earl of Crewe 264
The Duke of Norfolk 267
Lord Stanley of Alderley 268
The Lord Bishop of Birmingham 270
The Marquess of Lansdowne 271

Nov 6.]

Page

The Lord Privy Seal (The Marquess of Ripon) 272
The Lord Bishop of London 273
The Earl of Crewe 274

On Question, "whether the words 'at least four-fifths' stand part of the clause," their Lordships divided:—Contents, 48; Not Contents, 196.

The Earl of Camperdown 277
Lord Belper 278

On Question, "That the words 'the majority' be here inserted," their Lordships divided:—Contents, 33; Not Contents, 83.

The Earl of Jersey 279

Amendment moved—

"In page 3, line 35, to leave out sub-section (*b*) and to insert the words '(*b*) that satisfactory arrangements in respect of religious instruction can be made for the other children attending the school.'"—(*The Earl of Jersey.*)

The Earl of Crewe 281

Amendment, by leave, withdrawn.

Viscount Llandaff 281

Amendment moved—

"In page 3, line 34, to leave out the words after the word 'facilities' to the end of line 42, and to insert the words, 'the time allotted to such religious instruction shall be not less than thirty clear minutes on each day the school is open.'"—(*Viscount Llandaff.*)

Lord Stanley of Alderley 283
Viscount Halifax 284
The Earl of Crewe 284
The Marquess of Salisbury 284
Viscount Llandaff 285
The Marquess of Londonderry 287

On Question, Amendment negatived.

Earl Cawdor 288

Amendment moved—

"In page 3, to leave out lines 37 to 42 inclusive, and insert, 'any child whose parent declares his desire for some other form of religious instruction than that for which the facilities are afforded.'"—(*Earl Cawdor.*)

The Earl of Crewe 289
Earl Cawdor 290

On Question, whether the words proposed to be left out shall stand part of the clause, their Lordships divided :—Contents, 42 ; Not-Contents, 52.

Proposed words inserted.

The Lord Bishop of Hereford 293

Amendment moved—

"In page 3, after the words last inserted, to insert the words, 'Provided that extended facilities shall not be given unless, in the opinion of the Board of Education, the number of children in the neighbourhood is sufficient to maintain two efficient schools without unnecessary expenditure of public money.' "—(*The Lord Bishop of Hereford.*)

The Earl of Crewe 296

Amendment, by leave, withdrawn.

Earl Cadogan 296

Amendment proposed—

"In page 3, after the words last agreed to, to insert 'But if the applicants show to the satisfaction of the Board of Education that suitable arrangements can be made in the school for enabling children whose parents declare their desire for some other form of religious instruction than that for which the extended facilities are afforded to receive such other instruction, or failing that, instruction in accordance with Section 14 of the Elementary Education Act, 1870, the condition in paragraph (*b*) of this section with respect to the existence of accommodation for such children in other schools shall be dispensed with : Provided that—(1) if there are not less than twenty children whose parents declare their desire for such other religious instruction the Board of Education may, if they think fit, require that sufficient teachers shall be provided on the staff of the school qualified to teach the religious instruction contemplated in the arrangements ; (2) the local education authority in exercising their control over the school and their powers with respect to the appointment and dismissal of teachers shall permit such arrangements and enable such requirements to be carried out."—(*Earl Cadogan.*)

The Earl of Crewe 299
The Marquess of Salisbury 301
Lord Wenlock 303
Lord Fitzmaurice 304
Lord Stanley of Alderley 305
The Marquess of Huntly 307
Lord Stanmore 307
The Lord Bishop of Southwark 307
Lord Harris 308
The Marquess of Lansdowne 308

House resumed ; to be again in Committee to-morrow.

House adjourned at Five minutes past Eleven o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS, TUESDAY, 6TH NOVEMBER, 1906.

PRIVATE BILL BUSINESS.

Great Northern Railway (Ireland) Bill [LORDS] (BY ORDER).—Order read for resuming Adjourned Debate on Question [9th July], " That the Bill be now read a second time.

Question again proposed.

Mr. MacVeagh (Down, S.) 309

Question put, and agreed to.

Bill read a second time, and committed.

PETITIONS.

SMALL LANDOWNERS (SCOTLAND) BILL.—Petition from Sutherland, in favour; to lie upon the Table 310

STREET BETTING BILL [LORDS].—Petition from Bradford, in favour; to lie upon the Table 310

RETURNS, REPORTS, ETC.

COLONIAL REPORTS (MISCELLANEOUS).—Copy presented, of Colonial Report No. 37 (Ceylon, Report on the Results of the Mineral Survey in 1904–5 by Professor W. R. Dunstan, M.A., LL.D., F.R.S., Director of the Imperial Institute); [by Command]; to lie upon the Table 310

SHOP HOURS ACT, 1904.—Copy presented, of Order made by the Council of the Urban District of Leyton, and confirmed by the Secretary of State for the Home Department, fixing the Hours of Closing for Chemists' and Druggists' Shops within the Urban Districts [by Act]; to lie upon the Table 310

POLLING DISTRICTS (COUNTY OF LANCASTER).—Copy presented, of Order made by the County Council of Lancaster re-dividing the Accrington Parliamentary Division into Polling District [by Act]; to lie upon the Table 310

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE—LUNACY.—Copy of Rules made by the Commissioners in Lunacy [by Act] 310

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

IRISH ESTATES REFUSED BY THE LAND JUDGES.—Question, Mr. Ginnell (Westmeath, N.); Answer, Mr. Bryce 311

CLEARING OF LAND AT LAGOS.—Question, Mr. Keir Hardie (Merthyr Tydvil); Answer, Mr. Churchill 311

LIVERPOOL VICTORIA FRIENDLY SOCIETY.—Questions, Mr. Tomkinson (Cheshire, Crewe), Mr. Sloan (Belfast, S.); Answer, Mr. M'Kenna 312

HOURS OF LABOUR OF THE CREWS OF CUSTOMS LAUNCHES.—Question, Mr Steadman (Finsbury, Central); Answer, Mr. M'Kenna 313

Nov. 6.] *Page*

DISTRESS COMMITTEE AND SUGGESTED CHANGE OF NAME.—Question, Mr. Summerbell (Sunderland); Answer, Mr. John Burns 313

RESERVE 12-INCH GUNS.—Question, Mr. Nield (Middlesex, Ealing); Answer, Mr. Edmund Robertson 314

ELEMENTARY TEACHERS' SUPERANNUATION. FUND—CONTRIBUTION OF DECEASED MEMBERS.—Question, Mr. Hedges (Kent, Tonbridge); Answer, Mr. Birrell 314

EDUCATION BILL, 1906—PAYMENT OF ADDITIONAL GRANT.—Question, Sir H. Hill (Shrewsbury); Answer, Mr. Birrell 314

PUBLICATION OF PARLIAMENTARY ELECTIONS EXPENSES RETURN.—Question, Mr. Straus (Tower Hamlets, Mile End); Answer, Mr. Gladstone 315

POST TELEGRAPH OFFICES—PERMANENT STAFF OVERTIME.—Question, Mr. W. T. Wilson (Lancashire); Answer, Mr. Sydney Buxton 315

REINSTATEMENT OF EVICTED TENANT —CASE OF MRS. LEAH GUINN GARVAGHY OF IRVINESTOWN.—Question, Mr. Fetherstonhaugh (Fermanagh, N.); Answer, Mr. Bryce 315

APPOINTMENT OF MR. MURPHY AS SANITARY SUB-INSPECTOR, ETC. AT LISMORE.—Question, Mr. O'Shee (Waterford, W.); Answer, Mr. Bryce .. 316

QUESTIONS IN THE HOUSE.

RETIRED NAVAL OFFICERS PAY AND PENSION.—Question, Mr. Bramsdon (Portsmouth); Answer, The Secretary to the Admiralty (Mr. Edmund Robertson, Dundee) 317

SPEED OF BATTLESHIPS.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson 308

THE HOME FLEET.—Questions Sir Gilbert Parker (Gravesend), Sir Howard Vincent (Sheffield, Central), Viscount Turnour (Sussex, Horsham), Mr. Bellairs, Sir George Doughty (Great Grimsby); Answers, Mr. Edmund Robertson 318

ADMIRALTY CHAIN TENDERS.—Question, Mr. Hooker (Dudley); Answer, Mr. Edmund Robertson 319

WAR OFFICE CHAIN CONTRACTS.—Question, Mr. Hooker; Answer, Mr. Haldane 319

TIDWORTH BARRACKS HOSPITAL.—Question, Captain Faber (Hampshire, Andover); Answer, The Secretary of State for War (Mr. Haldane, Haddington) 320

WOOLWICH ARSENAL DISCHARGES.—Questions, Captain Faber, Sir W. Evans-Gordon (Tower Hamlets, Stepney), Mr. Chiozza Money (Paddington, N.), Mr. Alden (Middlesex, Tottenham), Mr. Arthur Henderson (Durham), Barnard Castle); Answers, Mr. Haldane 320

Nov. 6.] Page

INDIAN EXCISE ADMINISTRATION.—Question, Mr. Herbert Roberts (Denbighshire, W.); Answer, The Secretary of State for India (Mr. Morley, Montrose) 322

THE PARTITION OF BENGAL.—Questions, Mr. C. J. O'Donnell (Newington, Walworth), Mr. Rees (Montgomery Boroughs), Mr. Lupton (Lincolnshire, Sleaford); Answer, Mr. Morley 323

INDENTURED LABOUR IN TRINIDAD.—Question, Mr. Summerbell (Sunderland); Answer, The Under-Secretary of State for the Colonies (Mr. Churchill, Manchester, N.W.) 325

GREAT BRITAIN, RUSSIA AND PERSIA.—Questions, Sir H. Cotton (Nottingham, E.); Answer, The Secretary of State for Foreign Affairs (Sir Edward Grey, Northumberland. Berwick) 325

DIPLOMATIC AND CONSULAR SERVICE —Question, Mr. Bottomley (Hackney, S.); Sir J. Randles (Cumberland, Cockermouth); Answer, Sir Edward Grey .. 326

THE CONGO FREE STATE.—Questions, Mr. Alden, Mr. Bottomley; Answer, Sir Edward Grey 327

SERVIA.—Question, Mr. Bottomley; Answer, Sir Edward Grey 328

MACEDONIA OUTRAGES.—Question, Mr. G. Greenwood (Peterborough); Answer, Sir Edward Grey 328

TURKISH OUTRAGES AT RODEVO.—Question, Dr. Rutherford (Middlesex, Brentford); Answer, Sir Edward Grey 328

TAXATION OF MOTOR CARS.—Question, Mr. Weir (Ross and Cromarty); Answer, The Chancellor of the Exchequer (Mr. Asquith, Fifeshire, E.) .. 329

REGISTRY OFFICE FEES.—Question, Mr. Summerbell; Answer, The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 329

REFRESHMENT CATERERS AND THE TRUCK ACT.—Question, Mr. Summerbell; Answer, Mr. Gladstone 330

DISEASED IMMIGRANTS.—Question, Sir W. Evans Gordon; Answer, Mr. Gladstone 330

LONDON CABS.—Question, Mr. Thorne (West Ham, S.); Answer, Mr. Gladstone 331

LOTTERY CIRCULARS IN THE POST.—Question, Mr. Nield (Middlesex, Ealing); Answer, The Postmaster-General (Mr. Sydney Buxton, Tower Hamlets, Poplar) 331

BETTING BY TELEGRAPH.—Question, Mr. T. F. Richards (Wolverhampton, W.); Answer, Mr. Sydney Buxton 331

COCKING OVERSEERS' CORRESPONDENCE.—Question, Viscount Turnour (Sussex, Horsham); Answer, Mr. Sydney Buxton 332

CARDS FOR MEMBERS.—Question, Mr. Vincent Kennedy (Cavan, W.); Answer, Mr. Sydney Buxton 332

Page

Religious Instruction in Schools.—Question, Dr. Macnamara (Camberwell, N.); Answer, The President of the Board of Education (Mr. Birrell, Bristol, N.) 333

Procedure Committee.—Question, Mr. William Redmond; Answer, The Chancellor of the Duchy of Lancaster (Sir Henry Fowler, Wolverhampton, E. 334

Burwell Estate, Cambridgeshire.—Questions, Mr. Bridgeman (Shropshire, Oswestry); Viscount Turnour; Answer, Sir Edward Strachey (Somersetshire, E.) 334

Liverpool Victoria Friendly Society.—Question, Mr. Claude Hay; Answer, Mr. McKenna 335

Trade Unionists on Government Contracts.—Question, Mr. Summerbell; Answer, The Financial Secretary to the Treasury (Mr. McKenna, Monmouthshire) 336

Corrupt Practices at Elections.—Question, Mr. Stranger (Kensington, N.); Answer, Sir John Walton 336

Charlotte Bronte's Portrait.—Question, Sir William Bull (Hammersmith); Answer, Mr. McKenna 337

Dr. Dittmar's Report.—Question, Mr. Weir; Answer, The Secretary for Scotland (Mr. Sinclair, Forfarshire) 337

Migration of Cottars from Lewis.—Question, Mr. Weir; Answer, Mr. Sinclair 338

Scottish Local Government Inspectors.—Question, Mr. Weir; Answer, Mr. Sinclair 339

Foreign Trawlers in the Moray Firth.—Question, Mr. Weir; Answer, Mr. Sinclair 339

Insanitation in Stornoway.—Question, Mr. Weir; Answer, Mr. Sinclair .. 339

Illegal Trawling off Cape Wrath.—Question, Mr. Morton (Sutherland); Answer, Mr. Sinclair 340

Clare Railways.—Question, Mr. William Redmond; Answer, The Chief Secretary for Ireland (Mr. Bryce, Aberdeen, S.) 340

Caremorris District Council Clerkship.—Question, Mr. Barrie (Londonderry); Answer, Mr. Bryce 341

Religious Meetings at Boyle.—Question, Mr. Barrie; Answer, Mr. Bryce 341

Land Purchase in County Limerick.—Question, Mr. Lundon (Limerick, E.); Answer, Mr. Bryce 342

Distress in the Bawnboy Union.—Question, Mr. Vincent Kennedy (Cavan, W.); Answer, Mr. Bryce 344

Annagh Magistrates.—Question, Mr. Hogan (Tipperary, N.); Answer, Mr. Bryce 344

Nov. 6.] *Page*

Earl of Drogheda's Queen's County Estate.—Question, Mr. Delany (Queen's County, Ossory); Answer, Mr Bryce 345

County Court Eviction Notices in Ireland.—Question, Mr. James O'Connor (Wicklow, W.); Answer, Mr. Bryce 346

Dromore Floods.—Questions, Mr. Samuel Young (Cavan, E.), Mr. MacVeagh; Answer, Mr. McKenna 347

Kilgarvan Letter Delivery.—Question, Mr. Boland (Kerry, S.); Answer, Mr. Sydney Buxton 348

Employment of Ex-Soldiers and Sailors.—Question, Sir Samuel Scott (Marylebone); Answer, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 349

Appointment of County Magistrates.—Question, Mr. Henry (Shropshire, Wellington); Answer, Sir H. Campbell-Bannerman 349

Structural Changes in the House.—Question, Viscount Turnour; Answer, Sir H. Campbell-Bannerman 349

Withdrawal of the St. Helena Garrison.—Question, Sir Gilbert Parker; Answer, Sir H. Campbell-Bannerman 350

NEW BILLS.

Weekly Rest-day Bill.—"To secure a Weekly Rest-day," presented by Mr. Goddard Clarke; supported by Mr. George White, Sir Alfred Thomas, Mr. Steadman, and Mr. George Hardy; to be read a second time upon Tuesday next, and to be printed. [Bill 348.]

Land Tenure Bill.—Order read, for Further Consideration of the Bill, as amended (by the Standing Committee.)

Mr. A. J. Balfour (City of London) 353

Motion made, and Question proposed, "That the further consideration of the Bill as amended, be now adjourned."—(*Mr. A. J. Balfour.*)

The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 353
Mr. Laurence Hardy (Kent, Ashford) 359
Sir J. Dickson-Poynder (Wiltshire, Chippenham) 561
Mr. Channing (Northamptonshire, E.) 362
Mr. Mildmay (Devonshire, Totnes) 363
Mr. Rowlands (Kent, Dartford) 364
Colonel Kenyon-Slaney (Shropshire, Newport) 364
Mr. J. Ward (Stoke-on-Trent) 366
Mr. Abel Smith (Hertfordshire, Hertford) 367
Viscount Helmsley (Yorkshire, N.R., Thirsk) 368
Mr. Arthur Henderson (Durham, Barnard Castle) 371
Mr. Munro Ferguson (Leith Burghs) 373
Mr. Wyndham (Dover) 374
Viscount Castlereagh (Maidstone) 378
Mr. Jesse Collings (Birmingham, Bordesley) 380

Page
Mr. Lane-Fox (Yorkshire, W.R., Barkston Ash) .. 381
Mr. Winfrey (Norfolk, S.W.) .. 383
Mr. Hunt (Shropshire, Ludlow) .. 384

Sir H. Campbell-Bannerman rose in his place and claimed to move, "That the question be now put."

Question put, "That the Question be now put."

The House divided :—Ayes, 356 ; Noes, 104. (Division List No. 377.)

Question put accordingly, "That the further consideration of the Bill, as amended, be now adjourned."

The House divided :—Ayes, 115 ; Noes, 341. (Division List No. 378.)

Mr. Abel Smith .. 393
Sir Frederick Banbury .. 393

Amendment proposed—

"In page 2, line 4, at end, to add '(3) All notices given under this section shall be in writing.'"

Question proposed, "That those words be there added."

The Solicitor-General (Sir W. Robson, South Shields) .. 394
Sir E. Carson (Dublin University) .. 395
Captain Craig (Down, E.) .. 395
Mr. Cochrane (Ayrshire, N.) .. 396
Sir Edward Strachey (Somersetshire, S.) .. 396
Mr. A. J. Balfour .. 396
Colonel Kenyon Slaney .. 397
Mr. Guest (Cardiff, District) .. 397
Mr. Cave (Surrey Kingston) .. 398
The Solicitor-General for Scotland (Mr. Ure, Linlithgow) .. 398
Viscount Helmsley .. 398

Question put.

The House divided :—Ayes, 88 ; Noes, 323. (Division List No. 379.)

Mr Nussey (Pontefract) .. 403
Mr. Everett (Suffolk, Woodbridge) .. 403

Amendment proposed—

"In page 2, line 4, at end to add the words 'neither party shall be represented at the arbitration by counsel or solicitor unless the claim or counter-claim shall exceed in amount the sum of £50.'"—(*Mr. Nussey.*)

Question proposed, "That those words be there added."

Sir Edward Strachey .. 404
Mr. A. J. Balfour .. 405
Sir W. Robson .. 407

Nov. 6.]

Page

Mr. Whitbread (Hunts, Huntingdon) .. 408
Mr. Hicks Beach (Gloucestershire, Tewkesbury) .. 408
Mr. Leif Jones (Westmoreland, Appleby) .. 409
Mr. Munro Ferguson .. 410
Mr. Cochrane .. 411
Sir Edward Strachey .. 412
Mr. Cave .. 413
Mr. Bertram (Hertfordshire, Hitchin) .. 413
Captain Craig (Down, E.) .. 413
Mr. Wardle .. 414
Colonel Kenyon-Slaney .. 415

Amendment proposed to the proposed Amendment—

"To leave out the words 'unless the claim or counter-claim shall exceed in amount the sum of £50.'"—(*Mr. Nussey.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

Mr. Forster (Kent, Sevenoaks) .. 416
Mr. Mitchell-Thomson (Lanarkshire, N.W.) .. 416

Amendment to the Amendment, by leave, withdrawn.

Question put, "That those words be there added."

The House divided:—Ayes, 72; Noes, 301. (Division List No. 380.)

Sir Frederick Banbury .. 419
Captain Craig .. 421

Amendment proposed—

"To leave out Clause 2."—(*Sir Frederick Banbury.*)

Question proposed, "That the clause down to the word 'had,' in line 5, stand part of the Bill."

Sir Edward Strachey .. 423
Sir A. Acland-Hood (Somersetshire, Wellington) .. 424
Viscount Helmsley .. 425
Mr. Nicholls (Northamptonshire, N.) .. 426
Mr. Hicks Beach .. 427
Mr. Cochrane .. 428
Sir William Anson (Oxford University) .. 429
Sir W. Robson .. 430
Mr. A. J. Balfour .. 430
Sir F. Banbury .. 432
Lord R. Cecil (Marylebone, E.) .. 432

Amendment, by leave, withdrawn

Mr. Mitchell, Thomson .. 432

Amendment proposed—

"In page 2, line 5, after the word 'tenant' to insert the words 'under any contract of tenancy made after the passing of this Act."—(*Mr. Mitchell-Thomson.*)

Question put, "That those words be there inserted."

The Civil Lord of the Admiralty (*Mr. Lambert, Devonshire, South Molton*) 434
Mr. Cochrane 434
Sir F. Banbury 435
Mr. Lambton (*Durham, S.E.*) 435
Colonel Kenyon-Slaney 436
Sir W. Robson 436
Lord Helmsley 436
Mr. J. Henderson (*Aberdeenshire, W.*) 436

And, it being Eleven of the clock, the Debate stood adjourned.

Debate to be resumed To-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last

Adjourned at one minute after Eleven o'clock.

HOUSE OF LORDS: WEDNESDAY, 7TH NOVEMBER, 1906.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against; of inhabitants of parish of Newton Solney; and county borough of Northampton; read, and ordered to lie on the Table 437

EDUCATION (ENGLAND AND WALES) BILL.—Petition for amendment of; of church school managers, trustees of schools, and church officers of the Diocese of Chester; read, and ordered to lie on the Table 437

RETURNS, REPORTS, ETC.

COMMERCIAL TRAVELLERS.—Memorandum summarising the regulations in force in British Possessions and Protectorates and Foreign Countries with regard to British Commercial Travellers 437

TRADE REPORTS: MISCELLANEOUS SERIES.—No. 655. United States (Immigration).

Presented (by command), and ordered to lie on the Table 437

POST OFFICE.—Statutory Rules and Orders, 1906.

No. 792. The Inland Post Amendment (No. 8) Warrant, 1906, dated 19th October, 1906.

Nov. 7.] *Page*

No. 793. The Foreign and Colonial Post Amendment (No. 14) Warrant, 1906, dated 19th October, 1906.

Laid before the House (pursuant to Act), and ordered to lie on the Table .. 437

Education (England and Wales) Bill.—House again in Committee (according to Order).

[The Earl of Onslow in the Chair.]

Clause 4 :—

Debate resumed on following Amendment—

"In page 3, line 42, after the word 'child' to insert the words 'But if the applicants show to the satisfaction of the Board of Education that suitable arrangements can be made in the school for enabling children whose parents declare their desire for some other form of religious instruction than that for which the extended facilities are afforded to receive such other instruction, or failing that, instruction in accordance with Section 14 of the Elementary Education Act, 1870, the condition in paragraph (*b*) of this section with respect to the existence of accommodation for such children in other schools shall be dispensed with : Provided that—(1) if there are not less than twenty children whose parents declare their desire for such religious instruction the Board of Education may, if they think fit, require that sufficient teachers shall be provided on the staff of the school qualified to teach the religious instruction contemplated in the arrangements ; (2) the local education authority in exercising their control over the school and their powers with respect to the appointment and dismissal of teachers shall permit such arrangements and enable such requirements to be carried out.' "—(*Earl Cadogan.*)

The Lord Bishop of Southwark 438
The Marquess of Londonderry 442
Lord Belper 443
Lord Clifford of Chudleigh 444

Amendment moved to the proposed Amendment—

"After the first 'school,' to insert the words 'or elsewhere than in the schoolhouse.' "—(*Lord Clifford of Chudleigh.*)

The Lord President of the Council (*The Earl of Crewe*) 445
The Marquess of Lansdowne 449
Lord Harris 452
The Marquess of Salisbury 453
The Duke of Devonshire 454
Earl Cadogan 456

Amendment to the proposed Amendment, by leave, withdrawn

The Earl of Crewe 456

On Question, Amendment negatived.

The Lord Bishop of Hereford 457

Amendment moved—

"In page 4, line 2, to leave out 'may' and to insert 'shall.'"—(*The Lord Bishop of Hereford.*)

The Lord Bishop of Hereford .. 457
The Marquess of Lansdowne .. 458
The Earl of Crewe .. 458
Lord Stanley of Alderley .. 460
The Lord Bishop of St Davids .. 460
The Earl of Crewe .. 461
The Earl of Camperdown .. 462
Lord Ashbourne .. 462
The Lord Privy Seal (The Marquess of Ripon) .. 463
The Lord Archbishop of Canterbury .. 464
The Marquess of Lansdowne .. 466
The Lord Bishop of Hereford .. 466

On Question, "That the word 'may' stand part of the clause," their Lordships divided :—Contents, 47; Not-Contents, 195.

Word "shall" inserted.

Amendment moved—

"In page 4, line 2, to leave out the words 'also if they think fit.'"—(*Viscount Llandaff.*)

On Question, Amendment agreed to.

Viscount Ridley .. 468

Amendment moved—

"In page 4, line 7, after 'by' to insert 'the owners of the schoolhouse or.'"—(*Viscount Ridley.*)

The Earl of Crewe .. 469

On Question, Amendment agreed to.

Viscount Llandaff .. 469

Amendment moved—

"In page 4, line 13, to leave out from 'them' to the end of the sub-section."—(*Viscount Llandaff.*)

The Earl of Crewe .. 470
Viscount St Aldwyn .. 470
Viscount Llandaff .. 470
Lord Stanley of Alderley .. 470

On Question, Amendment negatived.

Lord Herries .. 471

Amendment moved—

"In page 4, line 18, after 'school' to insert 'the rent being reserved by the local education authority as payment by the owners for the special religious instruction given in the school by teachers qualified to give it.'"—(*Lord Herries.*

The Earl of Crewe 472
The Marquess of Londonderry 472
The Lord Archbishop of Canterbury 472
The Marquess of Lansdowne 473

Amendment, by leave, withdrawn.

The Lord Bishop of Winchester 473

Amendment moved—

"In page 4, line 18, after 'school' to insert 'a local education authority shall give permission that the religious instruction of a special character given under this section may be inspected, but no part of the expense of such inspection shall be paid by the local education authority.'"—(*The Lord Bishop of Winchester.*)

Amendment, by leave, withdrawn.

Lord Clifford of Chudleigh 474

Amendment moved—

"In page 4, line 20, after 'time' to insert 'after the expiry of five years.'"—(*Lord Clifford of Chudleigh.*)

The Earl of Crewe 474
The Marquess of Lansdowne 474

Amendment, by leave, withdrawn.

Viscount Llandaff 475

Amendment moved—

"In page 4, line 20, after 'authority' to insert 'if an application to withdraw the same is made to them by the parents of not less than twenty children attending the school.'"—(*Viscount Llandaff.*)

The Earl of Crewe 475
Lord Stanley of Alderley 476

Amendment, by leave, withdrawn.

Viscount Ridley 476

Amendment moved—

"After 'think,' to insert, 'or, in case of dispute with the owners, the Board of Education think.'"—(*Viscount Ridley.*)

The Earl of Crewe 477

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Lord Clifford of Chudleigh 477

Amendment moved—

"In page 4, line 39, after 'school' to insert 'provided that a prior right of admission to any school in respect of which extended facilities have been granted under this section shall be secured to the children of any parents residing within the area for which the school is available, on a signed declaration to the local authority that he wishes the child to receive the benefit of the special religious instruction given in the school.' "—(*Lord Clifford of Chudleigh.*)

The Earl of Crewe 478
The Earl of Denbigh 478

On Question, Amendment agreed to.

Lord Clifford of Chudleigh 480

Amendment moved—

"In page 4, line 39, after the word 'school' to insert 'provided' that the local education authority shall not be debarred from granting a permission, if they are of opinion that a change in the composition of the school has been artificially brought about since the first day of April, one thousand nine hundred and six, by the transfer of children formerly attending and for whom places are still available in schools not affected by such a permission;' also to insert 'a prior right of admission to any school in respect of which extended facilities have been granted under this section shall be secured to the children of any parent residing within the area for which the school is available, on a signed declaration to the local authority that he wishes the child to receive the benefit of the special religious instruction given in the school;' and also to insert the following new sub-section:—'(5) In all schools affected by a permission under this section, the parents of the children attending the school shall elect, in accordance with regulations to be made for the purpose by the Board of Education, four persons, some of whom may be women, who, together with two other persons nominated by the owners, shall be known as the parents' committee. The parents' committee shall be responsible for, and have the control of the religious instruction given in the school. The appointment of teachers in the school shall be made by the local education authority, upon the nomination of the parents' committee, whose nominees shall not be rejected except on educational grounds. If the parents' committee represent to the local education authority that the continued presence of any teacher in the school is objected to by the majority of the parents on grounds connected with the giving of religious instruction in the school, the local authority shall dismiss the said teacher or, as soon as practicable, remove him to another school. The religious instruction given in the school shall, as regards its character, be in

Nov. 7.] Page

accordance with the provisions (if any) of the trust deed relating to the school; and nothing in this section shall affect any provision in a trust deed giving to any ecclesiastical or denominational authority the power of deciding whether the character of the religious instruction is, or is not, in accordance with the provisions of the trust deed. The parents committee shall have access to the schoolhouse at all times. Vacancies in the parents' committee caused by death or resignation shall be filled up by election by the parents of the children attending the school, in the same manner as the original appointment was made.' "—*Lord Clifford of Chudleigh.*)

The Earl of Crewe 483
The Marquess of Salisbury 485
Lord Stanley of Alderley 489
Viscount Halifax 492
The Lord Bishop of St. Albans 493
Viscount Llandaff 495
The Marquess of Lansdowne 499

Amendment, by leave, withdrawn.

Amendment moved—

"In page 4, line 39, after the word 'school' to insert the words '(5) In all schools affected by a permission under this section, the parents of the children attending the school shall elect, in accordance with regulations to be made for the purpose by the Board of Education, four persons, some of whom may be women, who, together with one other person nominated by the owners and one other person nominated by the local education authority, shall be known as the parents' committee. The parents' committee shall be responsible for, and have the control of, the religious instruction given in the school.' "—(*Lord Clifford of Chudleigh.*)

On Question, "That those words be inserted in the clause," Amendment agreed to.

The Lord Bishop of Birmingham 500

Amendment moved—

"In page 4, line 39, after the word 'school' to insert the words in accordance with the trust deed, if any, of the school.' "—*The Lord Bishop of Birmingham.*)

Viscount Llandaff 501
Lord Ashbourne 501
The Earl of Crewe 501

Amendment, by leave, withdrawn.

Viscount Llandaff 503

Amendment moved—

"In pages 4 and 5, to leave out the words in Sub-section (5) and to insert the words, 'In every school in which facilities, or extended facilities are afforded under this Act, and in every school provided by the local education authority, if there are children attending the school whose parents object to their receiving the religious instruction afforded in the school, and there is no public school accommodation available in schools where those children can receive the religious instruction their parents desire, the owners of the school, the managers, and the local education authority shall make arrangements to enable those children to receive, during the time allotted to religious instruction, either secular instruction or such religious instruction as their parents desire, either in the schoolhouse if the accommodation of the school premises renders it practicable, or if that is impracticable, then elsewhere, but this religious instruction is not to be given at the expense of the owners of the school. Provided also that if the parents of thirty children attending any school desire their children to receive religious instruction of a different character from that afforded or permitted in the school, and there is no available public school accommodation in schools where those children can receive the religious instruction they desire, they may apply to the local education authority, and that authority shall, if the Board of Education consent, provide another schoolhouse for those children, in which such different religious instruction shall be permitted to be given.' "—(*Viscount Llandaff.*)

The Earl of Crewe 505

Amendment, by leave, withdrawn.

The Marquess of Salisbury 505

Amendment moved—

"In page 5, line 3, after the word 'thereof' to insert a new Sub-section—' (7) The Board of Education may hold a public enquiry for the purpose of satisfying themselves as to the fulfilment of any of the conditions requisite before extended facilities can be granted or withdrawn under this section, and shall do so if required either by the local education authority or the owners of the schoolhouse or the applicants for the facilities, and Section seventy-three of the Elementary Education Act, 1870, shall apply to any such enquiry.' "—(*The Marquess of Salisbury.*)

The Earl of Crewe 506

On Question, Amendment, by leave, withdrawn.

On Question whether Clause 4 as amended should stand part of the Bill.

The Duke of Devonshire 506
The Earl of Crewe 510
The Marquess of Salisbury 512
The Lord Archbishop of Canterbury 513

On Question, Clause 4, as amended, agreed to.

Nov. 7.] Page
Viscount St. Aldwyn 514
The Earl of Crewe 515

House resumed, and to be again in Committee to-morrow.

House adjourned at five minutes past Eleven o'clock, till to-morrow at quarter past Four o'clock.

HOUSE OF COMMONS: WEDNESDAY, 7TH NOVEMBER, 1906.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Administrative County of London and District Electric Power Bill [BY ORDER].—Order for Second Reading read, and discharged. Bill withdrawn.—(*The Chairman of Ways and Means*) 516

Clydebank and District Water and Burgh Extension Order Confirmation l.—Considered; to be read the third time Friday 516

PRIVATE BILLS (GROUP K).—Sir JOSEPH LEESE reported from the Committee on Group K of Private Bills; That at the meeting of the Committee this day a letter was eived from Mr. John Walter Hills, one of the members of the said Commit stating that he was unable, on account of detention by private affai to attend the Committee this day.

Report to li pon the Table .. ..

PETITIONS.

LOCAL GOVERNM r (SCOTLAND) ACT (1894) AMENDMENT BILL.—Petition from Paisley, aga ; to lie upon the Table 517

RETURNS, REPORTS, ETC.

COTTON GROWIN Return [presented 5th November] to be printed. [No. 342] 517

TRADE REPORTS SCELLANEOUS SERIES).—Copy presented, of Diplomatic and Consular R , Miscellaneous Series, No. 655 [by Command]; to lie upon the Table 517

COMMERCIAL T LERS.—Copy presented, of Memorandum summarising the Regulation orce in British Possessions and Protectorates and Foreign Countries gard to British Commercial Travellers [by Command]; to lie upon th le.. 517

POST OFFICE (N AND COLONIAL POST).—Copy presented, of the Foreign and Coloni t Amendment (No. 14) Warrant, 1906, dated 19th October, 1906 [by A o lie upon the Table 517

POST OFFICE (POST).—Copy presented, of the Inland Post Amendment (No 8) W 1906, dated 19th October, 1906 [by Act]; to lie upon the Table 517

Nov. 7.] *Page*

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

THE HOME FLEET.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson .. 517

DOCKYARD WAGES.—Question, Sir John Benn (Devonport); Answer, Mr. Edmund Robertson .. 518

OVERTIME IN THE CENTRAL TELEGRAPH OFFICE.—Question, Mr. A. Allen (Christchurch); Answer, Mr. Sydney Buxton .. 518

EXPENDITURE ON BATTLESHIPS.—Question, Mr. F. E. Smith (Liverpool, Walton); Answer, Mr. Edmund Robertson .. 519

POSTAL COLLECTIONS AND DELIVERIES.—Question, Mr. James O'Connor (Wicklow, W.); Answer, Mr. Sydney Buxton .. 519

TELEGRAPHIC DELAYS AND THE RESTRICTIÒN OF THE STAFF.—Question, Mr. W. T. Wilson (Lancashire, Westhoughton); Answer, Mr Sydney Buxton .. 519

INCOME-TAX —Question, Mr. Sears (Cheltenham); Answer, Mr. Asquith .. 520

ADMIRALTY MEMORANDUM ON CREWS AFLOAT.—Question, Mr. Arnold-Forster (Croydon); Answer, Mr. Edmund Robertson .. 521

THE IMPERIAL INSTITUTE.—Question, Mr. Harold Cox (Preston); Answer, Mr. Kearley .. 521

MIDLAND RAILWAY—UNTRAINED GOODS GUARDS.—Question, Mr. Hudson (Newcastle-on-Tyne); Answer, Mr. Kearley .. 522

TRADE UNIONS OUT OF WORK BENEFITS.—Question, Mr. Alden (Middlesex, Tottenham); Answer, Mr. Kearley .. 522

PAUPER LITIGANTS.—Question, Mr. Alden; Answer, Sir John Walton .. 522

CHINA AND TIBET.—Question, Mr. Rees (Montgomery Boroughs); Answer, Mr. Morley .. 523

STATE OF BIKANIR DEYED MEMORIAL.—Question, Dr. Rutherford (Middlesex, Brentford); Answer, Mr. Morley .. 525

INDIAN EDUCATIONAL STAFF.—Question, Dr. Hazel (West Bromwich); Answer, Mr. Morley .. 524

THE CALCUTTA MADRASSAH.—Question, Dr. Hazel; Answer, Mr. Morley .. 525

PRESIDENCY COLLEGE, CALCUTTA.—Question, Dr. Hazel; Answer, Mr. Morley .. 526

WOOLWICH ARSENAL DISCHARGES.—Question, Mr. Meysey-Thompson (Staffordshire, Handsworth); Answer, Mr. Cochrane .. 526

IPSWICH BARRACKS CONTRACT.—Question, Mr. J. Ward (Stoke-on-Trent); Answer, Mr. Haldane .. 527

THE ROYAL ARTILLERY.—Question, Mr. Arnold-Forster; Answer, Mr. Haldane 528

Nov. 7.] *Page*

CASE OF PRIVATE PITT, A.S.C.—Question, Viscount Turnour (Sussex, Horsham); Answer, Mr. Haldane 529

ARMY NURSING SERVICE.—Question, Mr. Rendall (Gloucestershire, Thornbury); Answer, Mr. Haldane 529

ARMY PENSIONS.—Question, Mr. Partington (Derbyshire, High Peak); Answer, Mr. Haldane 530

THE REDUCED BATTALIONS.—Question, Mr. Clavell Salter (Hants, Basingstoke); Answer, Mr. Haldane 530

DUKE OF YORK'S SCHOOL.—Question, Mr. Courthope (Susex Rye); Answer, Mr. Haldane 531

IRISH LAND PURCHASE ACT, 1903.—Question, Captain Craig (Down, E.); Answer, Mr. Bryce 531

RUSSIA AND ALLAND ISLANDS.—Question, Mr. Rees; Answer, Sir Edward Grey 532

DRUNDERG LETTER DELIVERY.—Question, Mr. Fetherstonhaugh (Fermanagh); Answer, Mr. Sydney Buxton 532

UNEMPLOYED GRANTS—ERITH AND DARTFORD CLAIM.—Question, Mr. Rowlands (Kent, Dartford); Answer, Mr. John Burns 533

LIMERICK AND TRALEE RAILWAY SERVICE.—Question, Mr. O'Shaughnessy (Limerick, W.); Answer, Mr. Kearley 533

CIVIL SERVANTS AND PARLIAMENTARY CANDIDATURES.—Question, Mr. W. J. Wilson; Answer, Mr. McKenna 534

QUESTIONS IN THE HOUSE.

NAVAL INSTRUCTORS.—Question, Mr. Mond (Chester); Answer, The Secretary to the Admiralty (Mr. Edmund Robertson, Dundee) 534

WHITE AND COLOURED LABOUR IN THE AFRICAN MINES.—Question, Mr. Duncan Schwann (Cheshire, Hyde); Answer, The Under-Secretary of State for the Colonies (Mr. Churchill, Manchester, N.W.) 534

ST. HELENA.—Questions, Mr. Hicks Beach (Gloucestershire, Tewkesbury), Viscount Turnour (Sussex, Horsham); Answer, Mr. Churchill 535

NEWFOUNDLAND.—Question, Mr. Ashley (Lancashire, Blackpool); Answer, Mr. Churchill 537

NIGERIAN POLICE.—Question, Captain Craig (Down, E.); Answer, Mr. Churchill 537

CHINESE COOLIE IMMORALITY.—Questions, Mr. Rendall (Gloucestershire, Thornbury), Mr. Morrell (Oxfordshire, Henley), Mr. Dalziel (Kirkcaldy Burghs); Answers, Mr. Churchill, (The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 538

STRAITS SETTLEMENTS CURRENCY.—Question, Mr. Mitchell-Thomson (Lanarkshire); Answer, Mr. Churchill 539

Nov. 7.]

Page

Dock and Wharf Accidents.—Question, Mr. Hooker (Dudley); Answer, The Secretary of State for the Home Department (Mr. Gladstone, Leeds) .. 539

Case of Mrs. Elizabeth Perkins.—Questions, Mr. Pickersgill (Bethnal Green), Mr. Rendall, Dr. Cooper (Southwark, Bermondsey), Mr. Keir Hardie (Merthyr Tydvil), Mr. J. Ward (Stoke-on-Trent); Answer, Mr. Gladstone 540

Imprisoned Passive Pesisters.—Question, Mr. Cavan, (Surrey, Guildford); Answer, Mr. Gladstone 543

The Imprisoned Women Suffragists.—Question, Mr. Morrell; Answer, Mr. Gladstone 543

England and Political Refugees.—Questions, Mr. Parker (Halifax), Mr. Keir Hardie (Merthyr Tydvil); Answer, Mr. Gladstone 543

Sources of Water Supply.—Questions, Mr. Maclean (Bath), Mr. Ward; Answer, The President of the Local Government Board (Mr. John Burns, Battersea) 544

Hollesley Bay Colonists.—Question, Mr. Fell (Great Yarmouth); Answer, Mr. John Burns 545

Case of Lily Hobson.—Question, Dr. Cooper; Answer, Mr. John Burns .. 546

Bucklorn School Attendance Officer.—Question, Mr. King (Cheshire, Knutsford); Answer, Mr. John Bruns 546

Nottingham Gas District.—Question, Mr. Richardson (Nottingham, S.); Answer, Mr. John Burns 547

Cotton Combine.—Question, Mr. Chiozza Money; Answer, The Parliamentary Secretary to the Board of Trade (Mr. Kearley, Devonport) 547

District Railway Fares.—Question, Mr. Claude Hay (Shoreditch, Hoxton); Answer, Mr. Kearley 548

Post Office Telephone Charges.—Question, Mr. Courthope (Sussex, Rye); Answer, The Postmaster-General (Mr. Sydney Buxton, Tower Hamlets, Poplar) 548

Peru Parcels Post.—Question, Mr. Agnew (Salford, W.); Answer, Mr. Sydney Buxton 549

Parcels Post to Columbia.—Question, Mr. Agnew; Answer, Mr. Sydney Buxton 549

Elementary School in Church Basements.—Question, Mr. J. Ward; Answer, The President to the Board of Education (Mr. Birrell, Bristol, N.) 549

School Space.—Questions, Dr. Macnamara (Camberwell, N.), Mr. Lupton (Lincolnshire, Sleaford), Mr. J. Ward; Answer, Mr. Birrell 550

Lachybower Murry Settlement.—Question, Mr. J. Ward; Answer, Mr. Birrell 552

School Punishment Book.—Question, Dr. Cooper; Answer, Mr. Birrell .. 552

Nov. 7.] *Page*

PAYMENTS FOR METALS.—Question, Mr. Harold Cox (Preston); Answer, Mr. Birrell 552

SHEEP DISEASE REGULATIONS.—Question, Mr. Rees (Montgomery Boroughs); Answer, Sir Edward Strachey (Somersetshire) 553

REX *v.* FOWLER.—Question, Viscount Turnour (Sussex, Horsham); Answer, Mr. Attorney-General (Sir John Walton, Leeds, S.) 554

MPRISONMENT FOR DEBT.—Questions, Mr. Maclean, Mr. Byles (Salford, N.); Answer, Sir John Walton 554

WEST RIDING APPEAL.—Question, Mr. Courthope; Answer, Sir John Walton .. 555

SCOTTISH FISHERMEN AND THE WHALING STATIONS.—Question, Major Anstruther Gray (St. Andrews Burghs); Answer, The Secretary for Scotland (Mr. Sinclair, Forfarshire) 555

PUNISHMENT FOR ILLEGAL TRAWLING.—Question, Mr. Cathcart Wason (Orkney and Shetland); Answer, Mr. Sinclair 556

SCOTTISH CONGESTED DISTRICTS BOARD AND CROFTER SETTLEMENTS.—Question, Mr. Weir (Ross and Cromarty); Answer, Mr. Sinclair 556

TRAWLERS IN THE MINCH.—Question, Mr. Weir; Answer, Mr. Sinclair 557

SCOTTISH LINE FISHING INDUSTRY.—Question, Mr. Weir; Answer, Mr. Sinclair 557

TRAWLING IN DURNESS BAY.—Question, Mr. Morton (Sutherland); Answer, Mr. Sinclair 557

DISEASE IN THE LEWS.—Question, Mr. Weir; Answer, Mr. Sinclair 558

ORKNEY COTTARS' GRIEVANCE.—Question, Mr. Cathcart Wason; Answer, Mr. Sinclair 558

SMALL LANDHOLDERS (SCOTLAND), BILL.—Questions, Mr. Weir; Lord Balcarres (Lancashire, Chorley); Answer, Mr. Sinclair 559

THE SCOTTISH FISHERY CRUISERS.—Question, Mr. Morton; Answer, Mr. Sinclair 559

IRISH EVICTED TENANTS.—Questions, Mr. Lonsdale (Armagh, Mid.), Mr. Delany (Queen's County Ossory), Mr. Ginnell (Westmeath, N.); Answers, The Chief Secretary for Ireland (Mr. Bryce, Aberdeen, S.) 559

MR. PAKEEMHAM'S WESTMEATH ESTATES.—Question, Mr. Ginnell; Answer, Mr. Bryce 560

MAGAR ESTATE, WESTMEATH.—Question, Mr. Ginnell; Answer, Mr. Bryce .. 561

COLONEL MALONE'S BARANSTON ESTATE.—Question, Mr. Ginnell; Answer, Mr. Bryce 561

ADMINISTRATION OF THE ARMS ACT IN IRELAND.—Question, Mr. Boland (Kerry, S.); Answer, Mr. Bryce 562

Page

NEPTUNE BLOOD ESTATE CLARE.—Question, Mr. William Redmond (Clare, E.); Answer, Mr. Bryce 562

MOOHANE EVICTED TENANT.—Question, Mr. Lundon (Limerick); Answer, Mr. Bryce 563

QUEENS COUNTY EVICTED TENANTS.—Question, Mr. Delany; Answer Mr. Bryce 563

POCKLINGTON ESTATE, CLARE.—Question, Mr. William Redmond (Clare); Answer, Mr. Bryce 564

EAST CLARE LAND APPEALS.—Question, Mr. William Redmond; Answer, Mr. Bryce 564

ROYAL COLLEGE OF SCIENCE, DUBLIN.—Question, Mr. William Redmond, Mr. Mooney (Newry); Answer, The Financial Secretary of the Treasury.(Mr. McKenna, Monmouthshire) 564

VICE-PRESIDENCY OF THE IRISH BOARD OF AGRICULTURE.—Question, Mr. Mooney; Answer, Mr. Bryce 566

BANN DRAINAGE.—Question, Mr. Charles Craig (Antrim, S.); Answer, Mr. Bryce 566

LOUGH NEATH FISHERIES.—Question, Mr. Charles Craig; Answer, Mr. Bryce .. 566

GALWAY ELECTION DISTURBANCES.—Question, Mr. Lonsdale, Mr. John Redmond (Waterford); Mr. T. L. Corbett (Down, E.); Answer, Mr. Bryce .. 567

KILLARNEY QUARTER SESSIONS—CLAIMS FOR MALICIOUS INJURY.—Question, Mr. Charles Craig; Mr. Murphy (Kerry, E.); Answer, Mr. Bryce 568

IRISH LAND PURCHASE.—Question, Mr. Ginnell; Answer, Sir H. Campbell-Bannerman 569

PRICE OF IRISH LAND.—Question, Mr. Ginnell; Answer, Mr. McKenna 569

IRELAND AND STATIONERY OFFICE CONTRACTS.—Question, Mr. Sloan (Belfast, S.): Answer, Mr. McKenna 590

ABBEYFEALE FAIR.—Question, Mr. O'Shaughnessy (Limerick), W.); Answer, Mr. Kearley 570

BUSINESS OF THE HOUSE.—Question, Mr. Shackleton (Lancashire, Clitheroe); Answer, Sir H. Campbell-Bannerman 571

Trade Disputes Bill.—As Amended, on consideration, to be printed. [Bill 349.] 571

PUBLIC ACCOUNTS COMMITTEE.—Third Report, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 343.] 571

WOMEN'S ENFRANCHISEMENT.

Mr. Keir Hardie (Merthyr Tydvil) 571

Sir H. Campbell-Bannerman 572

Nov. 7.] Page

Motion made, and Question proposed, "That leave be granted to bring in a Bill to remove the sex disqualification which debars a woman from being enrolled as an elector or from voting at Parliamentary elections."

Question put, and agreed to.

Bill ordered to be brought in by Mr. Keir Hardie, Sir William Bull, Mr. Enoch Edwards, Mr. Arthur Henderson, Mr. Leif Jones, Mr. Hugh Law, Mr. Nannetti, Sir John Randles, Mr. Snowden, and Mr. Thomasson.

Women's Enfranchisement Bill.—"To remove the sex disqualification which debars a woman from being enrolled as an elector or from voting at Parliamentary Elections," presented accordingly and read the first time; to be read a second time upon Wednesday next, and to be printed. [Bill 350.]

Land Tenure Bill.—Order read, for resuming Adjourned Debate on Amendment proposed [6th November] on Consideration of the Bill, as amended (by the Standing Committee):—

Which Amendment was—

"In page 2, line 5, after the word 'tenant,' to insert the words 'under any contract of tenancy made after the passing of this Act.'"—(*Mr. Mitchell-Thomson.*)

Question again proposed, "That those words be there inserted in the Bill."

Mr. Bridgeman (*Shropshire, Oswestry*) 573
Mr. William Rutherford (*Liverpool, West Derby*) 573
Mr. Harold Cox (*Preston*) 575
Captain Craig (*Down, E.*) 576
Mr. Stanley Wilson (*York, E.R., Holderness*) 577
Mr. Herbert (*Bucks, Wycombe*) 578
Mr. A. J. Balfour (*City of London*) 579
Mr. R. Pearse (*Staffordshire, Leek*) 581
Viscount Turnour (*Sussex, Horsham*) 583
Mr. Austen Chamberlain (*Worcestershire, E.*) 585
Mr. Guest (*Cardiff District*) 585
Mr. Courthope (*Sussex, Rye*) 586
Mr. Lane-Fox (*York, E.R., Barkston Ash*) 588
The Solicitor-General (*Sir W. Robson, South Shields*) 589
Mr. Cave (*Surrey, Kingston*) 590
Lord Dalmeny (*Edinburgh, Midlothian*) 591
Mr. J. F. Mason (*Windsor*) 591
Mr. Nussey (*Pontefract*) 592
Mr. Bowles (*Lambeth, Norwood*) 592
Mr. Paulton (*Durham, Bishop Auckland*) 593
Mr. Carlile (*Hertfordshire, St. Albans*) 594
Mr. Walters (*Sheffield, Brightside*) 595
Mr. Hicks-Beach (*Gloucestershire, Tewkesbury*) 596

Question put.

The House divided:—Ayes, 90; Noes, 349. (Division List No. 381.)

Mr. Hicks-Beach 600

Amendment proposed—

"In page 2, line 5, to leave out the word 'any.'"—(*Mr. Hicks Beach.*)

Question proposed, "That the word 'any' stand part of the clause."

Sir Edward Strachey 601
Mr. Abel Smith (Hertfordshire, Hertford) 602
Sir Frederick Banbury 602
Mr. Nussey 602
Mr. A. J. Balfour 603

Amendment agreed to.

Mr. Cochrane (Ayrshire, N.) 603

Amendment proposed—

"In page 2, line 5, after the word 'damage,' to insert the words, 'other than damage by hares and rabbits to moorlands and unenclosed lands.'"—(*Mr. Cochrane.*)

Question proposed "That those words be there inserted."

Amendment, by leave, withdrawn.

Sir Frederick Banbury 604

Amendment proposed—

"In page 2, line 6, after the word 'game,' insert the words, 'reared on the estate of his landlord.'"—(*Sir Frederick Banbury.*)

Question proposed, "That those words be there inserted."

Sir Edward Strachey 605
Mr. Cochrane 606
Sir Brampton Gurdon (Norfolk, N.) 607
Mr. A. J. Balfour 607
The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 608
Mr. Austen Chamberlain 609
Mr. A. Dewar (Edinburgh, S.) 610
Viscount Helmsley (Yorkshire, N.R., Thirsk) 611
Mr. William Redmond (Clare, E.) 611
Mr. Munro Ferguson (Leith Burghs) 613
Mr. Lambton 613
olonel Kenyon-Slaney (Shropshire, Newport) 614
Mr. Alexander Cross (Glasgow, Camlachie) 615

Question put and negatived.

Sir W. Robson 615

Nov. 7.] *Page*

Amendment proposed—

"In page 2, line 6, after the word 'that' to leave out the words 'he has not' and insert the words 'neither he, nor anyone claiming under him has.'"—(*The Solicitor-General.*)

Mr. Cave .. 615
Sir William Anson (*Oxford University*) .. 615
Lord R. Cecil (*Marylebone, E.*) .. 616
Mr. Nussey .. 616
Mr. William Rutherford .. 616
Mr. A. J. Balfour .. 617
Sir W. Robson .. 617
Mr. Austen Chamberlain .. 617
Mr. Soares (*Devonshire, Barnstaple*) .. 618
Sir W. Robson .. 618

Amendment proposed to the proposed Amendment—

"After the word 'him' to insert 'other than his landlord.'"—(*Sir W. Robson.*)

Question, "That those words be there inserted," put, and agreed to.

Words, as amended, inserted in the Bill.

Sir Brampton Gurdon .. 618

Amendment proposed—

"In page 2, line 6, after the word 'kill,' to insert the words, 'or is unable to kill.'"—(*Sir Brampton Gurdon.*)

Question proposed, "That those words be there inserted."

Mr. A. J. Balfour .. 619

Amendment, by leave, withdrawn.

Col. Kenyon-Slaney .. 619
Mr. Staveley-Hill (*Staffordshire, Kingswinford*) .. 622

Amendment proposed—

"In page 2, line 6, to leave out all after the word 'kill,' and to insert the words 'Sections 4, 5, 6 and 7, of the Game Laws Amendment (Scotland) Act, 1877, shall apply.'" *Colonel Kenyon-Slaney.*

Question proposed, "That the words 'he shall' stand part of the Bill."

The Solicitor-General for Scotland (*Mr. Ure, Linlithgowshire*) .. 623
Mr. Cochrane .. 624
Sir Edward Strachey .. 626
Lord Balcarres (*Lancashire, Chorley*) .. 627
Mr. Courthorpe (*Sussex, Rye*) .. 627
Mr. Lane-Fox .. 629
Sir Frederick Banbury .. 630

Question put.

The House divided :—Ayes, 265 ; Noes, 49. (Division List No. 382.)

Sir W. Robson 633

Amendment proposed—

"In page 2, lines 6 and 7, to leave out the words, 'at any time during the tenancy.' "—(*Sir W. Robson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Akers-Douglas (*Kent, St. Augustine's*) 635
Lord R. Cecil 635

Amendment agreed to.

Mr. Lane-Fox 635
Mr. J. F. Mason 636

Amendment proposed—

"In page 2, lines 7 and 8, to leave out the words 'his landlord,' and insert the words 'the person in whom the right to kill the game may at the time be vested.' "—(*Mr. Lane-Fox.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

The Civil Lord of the Admiralty (*Mr. Lambert, Devonshire, South Molton*) 636
Mr. Abel Smith 637
Viscount Helmsley 637
Mr. Guest 637
Sir William Anson 637
Mr. Cawley (*Lancashire, Prestwich*) 637
Mr. Charles Craig (*Antrim S.*) 638
Mr. Harwood (*Bolton*) 638
Captain Craig 639
Mr. Munro Ferguson 639

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 2, line 8, after the word 'damage,' to insert the words 'if it exceeds more than 1s. an acre.' "—(*Sir Edward Strachey.*)

Mr. Cochrane 640
Mr. Alexander Cross 640
Sir Frederick Banbury 642

Question put.

The House divided :—Ayes, 301 ; Noes, 76. (Division List, No. 383.)

Sir W. Robson 645

Nov. 7.] Page

Amendment proposed—

"In page 2, line 8, after the word 'contrary' to insert the words 'or in limitation of such compensation.'"—(*Sir W. Robson.*)

Question proposed, "That those words be there inserted."

Mr. Abel Smith 645
Mr. Cave 645
Mr. Mitchell-Thomson 646
Mr. Courthope 646
Mr. Ure 646
Sir E. Carson 647
Sir W. Robson 647
Mr. A. J. Balfour 647
Mr. William Rutherford 648

Question put.

The House divided :—Ayes, 294 ; Noes, 64. (Division List No. 384.)

And, it being Eleven of the clock, further consideration of the Bill, as amended, stood adjourned.

Bill, as amended, to be further considered to-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at two minutes after Eleven o'clock.

HOUSE OF LORDS : THURSDAY, 8TH NOVEMBER, 1906.

PRIVATE BILL BUSINESS.

Metropolitan Electric Supply Bill.—Reported, without Amendment .. 653

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against: of inhabitants, ratepayers in the parishes of Kislingbury; Weedon; Mountsorrel; Charwelton; Narborough; and Blakesley-with-Woodend; Buckland; Great and Little Chesterford; Ugley; Roydon; Rickling; and Quendon; of trustees of Church of England schools in Great Bowden. Read, and ordered to lie on the Table.. 653

EDUCATION (ENGLAND AND WALES) BILL.—Petitions for Amendment: of inhabitants of Duston; of parents or guardians of children attending the Church school in the parish of Carhwelton; and St. Margaret's School, Manchester. Read, and ordered to lie on the Table 653

RETURNS, REPORTS, ETC.

POPLAR UNION.—Report to the President of the Local Government Board on the Poplar Union, by J. S. Davy, C.B., Chief General Inspector of the Board. Presented (by Command), and ordered to lie on the Table. 653

THE DISTURBANCE AT THE NAVAL BARRACKS 653

Earl Cawdor 653
The First Lord of the Admiralty (*Lord Tweedmouth*) 654

THE SITTINGS OF THE HOUSE 654

The Lord Privy Seal (*The Marquess of Ripon*) 654
Lord Balfour of Burleigh 654

Education (England and Wales) Bill.—House again in Committee (according to Order).

[The Earl of Onslow in the Chair].

Clause 5.

Lord Ashbourne 655

Amendment moved—

"In page 5, line 4, to leave out from the word 'where' to the first 'the' in line 8, and after the word 'schoolhouse' to insert the words 'are dissatisfied with the action of the local education authority under Section 4 or as to the mode in which extended facilities are afforded, they.'"—(*Lord Ashbourne.*)

The Lord President of the Council (*The Earl of Crewe*) 656
The Marquess of Lansdowne 658
Lord Davey 659
The Marquess of Salisbury 660
The Earl of Crewe 660
Lord Ashbourne 661

On Question, Amendment agreed to.

Amendment moved—

"To leave out the word 'may,' and insert the word 'shall.'"—(*The Marquess of Salisbury.*)

Lord Stanley of Alderley 662

On Question, Amendment agreed to.

Viscount Llandaff 663

Nov. 8.] *Page*

Amendment moved—

"In page 5, line 12, to leave out from the word 'school' to the word 'by' in line 15.'"—(*Viscount Llandaff.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to

Consequential Amendment agreed to

Lord Heneage 664

Amendment moved—

"In page 5, line 18, to leave out from the word 'afforded' to the word 'provided,' in line 21.'"—(*Lord Heneage.*)

The Earl of Crewe 664
The Lord Archbishop of Canterbury 664

On Question, Amendment agreed to.

Lord Clifford of Chudleigh 665

Amendment moved—

"In page 5, line 25, to leave out from the word 'suitable' to the end of line 28."—(*Lord Clifford of Chudleigh.*)

The Earl of Crewe 665
Lord Stanley of Alderley 665
Lord Clifford of Chudleigh 666

On Question, Amendment negatived.

The Earl of Camperdown 666

Amendment moved—

"In page 5, line 28, after the word 'years' to insert the words 'but shall be renewable, or fresh arrangements for the same purpose may be made in a similar manner.'"—(*The Earl of Camperdown.*)

The Earl of Camperdown 667
The Earl of Crewe 667
Lord Stanmore 668

On Question, Amendment agreed to.

Viscount Llandaff 668
The Lord Archbishop of Canterbury 668
The Earl of Crewe 669
The Lord Archbishop of Canterbury 669

On Question, Amendment agreed to.

Lord Clifford of Chudleigh 670

Amendment moved—

"In page 5, line 35, to leave out Sub-section (4)."—(*Lord Clifford of Chudleigh.*)

The Earl of Crewe 670
The Earl of Crewe 671
Viscount Halifax 672
Viscount Llandaff 672
Lord Heneage 673
Lord Avebury 673
The Earl of Halsbury 673
Lord Stanley of Alderley 674
Lord Courtney 674
Viscount St. Aldwyn 675
The Duke of Norfolk 675
The Lord Archbishop of Canterbury 676
The Marquess of Lansdowne 676
The Earl of Crewe 678
Lord Clifford of Chudleigh 680

Amendment, by leave, withdrawn.

Lord Ashbourne 680

Amendment moved—

"In page 5, line 40, after the word 'order,' to insert the words 'how the said extended facilities should be carried out, or.'"—(*Lord Ashbourne.*)

The Earl of Crewe 680
Lord Ashbourne 680
Lord Stanley of Alderley 681
The Earl of Halsbury 681
The Lord Bishop of St. David's 682

On Question, Amendment agreed to.

Viscount Llandaff 682

Amendment moved—

"In page 5, line 40, after the word 'may' to insert the words 'if the owners of the schoolhouse consent.'"—(*Viscount Llandaff.*)

The Earl of Crewe 682
Viscount Llandaff 683

On Question, Amendment agreed to.

Moved, "That Clause 5, as amended, stand part of the Bill."

Earl Cawdor 683
The Lord Archbishop of Canterbury 683

Nov. 8.] Page

The Earl of Crewe 684
Viscount Goschen 684
The Earl of Crewe 684
The Marquess of Londonderry 685

On Question, Clause 5, as amended, agreed to.

Clause 6 :—

Viscount Llandaff 686

Amendment moved—

"In page 6, line 27, to leave out from the word 'school' to the end of the clause."—(*Viscount Llandaff.*)

The Earl of Crewe 686
The Marquess of Salisbury 687
Lord Clifford of Chudleigh 688
The Lord Bishop of Oxford 689
The Lord Bishop of Hereford 690
Viscount Cross 691
The Lord Bishop of St. Asaph 692
Lord Stanley of Alderley 692

On Question, Amendment to omit the words after "school" to end of clause, agreed to.

Amendment moved—

"To leave out Clause 6."—(*The Marquess of Salisbury.*)

On Question, whether the clause stand part of the Bill, their Lordships divided :—Contents, 34 ; Not-contents, 120.

Amendment moved—

"To insert the following new clause :—(1) If any persons consider that a new public elementary school with facilities for religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870, is required in any district, they may give public notice of their intention to provide a school house for the proposed school. (2) When such notice has been given the Board of Education shall determine whether the proposed school is required, and in so doing, shall have regard to all the circumstances of the case, including the wishes of the parents as to the religious education of their children, and shall take into consideration any appeal made to them against the proposal by the local education authority, or any ten ratepayers in the district in which the school is claimed to be required, and shall hold a public inquiry under Section 73 of the Elementary Education Act, 1870, with reference to the proposal, if requested to do so by the appellants. (3) If the Board of Education determine that the proposed school is required, an arrangement under section 2 of this Act shall be made in respect of the school house as soon as it is ready for occupation as though it were the school house of an existing voluntary school, and the provisions of this Act with respect to facilities (including extended facilities) shall apply to the school."—(*The Lord Bishop of Oxford.*)

On Question, Amendment agreed to.

Clause 7.—

Lord Ampthill 694

Amendment moved—

"To leave out Clause 7."—(*Lord Ampthill.*)

Lord Reay 695
The Lord Bishop of St. Albans 697
Earl Russell 698
The Lord Bishop of Chester 700
Lord Heneage 702
The Marquess of Londonderry 703
The Earl of Crewe 705
The Lord Bishop of London 713
The Marquess of Lansdowne 715

On Question, "That Clause 7 stand part of the Bill," their Lordships divided:—Contents, 31; Not-Contents, 143.

House resumed, and to be again in Committee on Monday next.

House adjourned at Five Minutes past Eleven o'clock, to Monday next, a quarter-past Four o'clock.

HOUSE OF COMMONS: THURSDAY, 8TH NOVEMBER, 1906.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

BLAIRGOWRIE, RATTRAY, AND DISTRICT WATER ORDER CONFIRMATION BILL.—"To confirm a Provisional Order under The Private Legislation Procedure (Scotland) Act, 1899, relating to Blairgowrie, Rattray, and District Water," presented by Mr. Sinclair; read the first time; and ordered (under Section 9 of the Act) to be read a second time upon Friday, 16th November, and to be printed. [Bill 351] 719

DOVER HARBOUR (WORKS, ETC.) BILL [LORDS].—Reported, with Amendments; Report to lie upon the Table, and to be printed 719

Nov. 8.] Page

PETITIONS.

Betting and Gambling.—Petition from Hull, for legislation; to lie upon the Table 719

Railways (Contracts) Bill.—Petition from Walsall, in favour; to lie upon the Table 719

Trade Unions and Trade Disputes Bill.—Petition from Aberdeen, against; to lie upon the Table 719

RETURNS, REPORTS, ETC.

Poplar Union.—Copy presented, of Report on the Poplar Union, by J. S. Davy, esquire, C.B. [by Command]; to lie upon the Table 720

Universal Postal Union.—Copy ordered, "of Report of the British Delegates at the Sixth Congress of the Universal Postal Union, held at Rome in 1906, with the Postmaster-General's Letter forwarding the Report to the Treasury."—(*Mr. Sydney Buxton*) 720

Women's Suffrage.—Return ordered, "showing (1) the number of Petitions to the House of Commons in favour of Women's Suffrage for each Session from 1890 to 1906, inclusive; (2) the number of names attached to such Petitions."—(*Mr. Alfred King*) 720

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Exhibition of Names of Country Post Offices.—Question, Mr. A. Williamson (Elgin and Nairn); Answer, Mr. Sydney Buxton 720

Australian Trade Marking Laws.—Question, Mr. Seaverns (Lambeth, Brixton); Answer, Mr. Churchill 720

Ships in the Navy List.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson 721

Application for School at Woldingham, Surrey.—Question, Mr. Brodie (Surrey, Reigate); Answer, Mr. Birrell 721

Irish School Teachers Registration Fees.—Question, Mr. Butcher (Cambridge University); Answer, Mr. Birrell 722

Committal of Young Persons to Prison.—Question, Mr. Wedgwood (Newcastle-under-Lyme); Answer, Mr. Gladstone 723

Local Examinations for Indian Civil Service Candidates.—Question, Mr. Chiozza Money (Paddington, E.); Answer, Mr. Morley 723

Mr. Addison's Appointment as Secretary of the Delhi Municipality.—Question, Mr. Weir (Ross and Cromarty); Answer, Mr. Morley 724

Action of Mr. Jack in Arresting Ryots at Alipura.—Question, Mr. Weir; Answer, Mr. Morley 724

REDUCTION OF THE 40TH BRIGADE ROYAL FIELD ARTILLERY.—Question, Mr. Hart-Davies (Hackney, N.); Answer, Mr. Haldane 724

CHURCH PARADES AND SUNDAY SPORTS.—Question, Mr. Sloan (Belfast, S.); Answer, Mr. Haldane 725

CHINESE LABOUR ON THE RAND.—Question, Mr. Verney (Buckinghamshire, N.); Answer, Sir H. Campbell-Bannerman 725

QUESTIONS IN THE HOUSE.

ADMIRALTY MEMORANDUM—UNARMOURED CRUISERS.—Question, Mr. Bellairs (Lynn Regis); Answer, The Secretary to the Admiralty (Mr. Edmund-Robertson, Dundee) 726

FIRST CLASS BATTLESHIPS.—Questions, Mr. Bellairs, Captain Hervey (Bury St. Edmunds); Answer, Mr. Edmund Robertson 726

THE "XEMA" EXPEDITION.—Question, Mr. Fullerton (Cumberland, Egremont); Answer, Mr. Edmund Robertson 727

THE DISTURBANCES AT PORTSMOUTH NAVAL BARRACKS.—Questions, Mr. Godfrey Baring (Isle of Wight), Mr. Dalziel (Kirkcaldy Burghs), Mr. Bellairs, Mr. Bowles (Lambeth, Norwood), Mr. Keir Hardie (Merthyr Tydvil); Answer, Mr. Edmund Robertson 728

THE HOME FLEET.—Questions, Mr. F. E. Smith (Liverpool, Walton), Captain Hervey; Answer, Mr. Edmund Robertson 729

OBSOLETE BATTLESHIPS.—Questions, Mr. F. E. Smith, Captain Hervey, Mr. Bellairs; Answers, Mr. Edmund Robertson, Sir Charles Dilke (Gloucestershire, Forest of Dean) 730

ARMY SERVICE CORPS.—Question, Sir Howard Vincent (Sheffield, Central); Answer, The Secretary of State for War (Mr. Haldane, Haddington) .. 731

ST. HELENA.—Question, Mr. Hicks Beach (Gloucestershire, Tewkesbury); Answer, Mr. Haldane 731

EMPLOYMENT FOR DISCHARGED SOLDIERS.—Questions, Colonel Warde (Kent, Medway), Mr. Claude Hay (Shoreditch, Hoxton); Answer, Mr. Haldane 731

WAR OFFICE ALLOTMENTS AT FITTLETON.—Question, Mr. Rogers (Wiltshire, Devizes); Answer, Mr. Haldane 732

PRIVATE CONTRACTORS AND GOVERNMENT CONTRACTS.—Question, Mr. Barnes (Glasgow, Blackfriars); Answer, Mr. Haldane 733

COST OF PRODUCTION AT WOOLWICH ARSENAL.—Question, Mr. Barnes; Answer, Mr. Haldane 733

DISCHARGES FROM WOOLWICH ARSENAL.—Questions, Mr. Barnes, Mr. Higham (Yorkshire, W. R. Sowerby); Mr. Keir Hardie, Mr. Walters (Sheffield, Brightside), Mr. Dalziel, Mr. Crooks (Woolwich); Answer, Mr. Haldane .. 734

CRIMEAN AND INDIAN MUTINY VETERANS.—Question, Sir George Doughty (Great Grimsby); Answer, Mr. Haldane 736

Nov. 8.] Page

DISCHARGES FROM NETLEY HOSPITAL.—Questions, Mr. T. L. Corbett (Down, N.), Major Seely (Liverpool, Abercromby), Mr. J. Ward (Stoke-on-Trent); Answer, Mr. Haldane 737

NEWFOUNDLAND MODUS VIVENDI.—Question, Sir Charles Dilke (Gloucestershire, Forest of Dean); Answer, The Under-Secretary of State for the Colonies (Mr. Churchill, Manchester) 738

LABOUR IN JOHANNESBURG MINES.—Question, Mr. Fell (Great Yarmouth); Answer, Mr. Churchill 739

CHIEF TILONKO'S APPEAL.—Question, Mr Byles (Salford N.); Answer, Mr. Churchill 739

EGYPTIAN IRRIGATION.—Question, Mr. J. M. Robertson (Northumberland, Tyneside); Answer, The Secretary of State for Foreign Affairs (Sir Edward Grey, Northumbeland, Berwick) 740

EGYPTIAN CAPITULATIONS.—Question, Mr. J. M. Robertson; Answer, Sir Edward Grey 740

EGYPTIAN IMPORTS OF ALCOHOALIC LIQUORS.—Question, Dr. Rutherford (Middlesex, Brentford); Answer, Sir Edward Grey 741

THE ADMISSION OF UNDESIRABLE ALIENS.—Question, Mr. Fell; Answer, Sir Edward Grey 742

LOUGHBOROUGH BRUSH COMPANY AND THE TRUCK ACT.—Question, Mr. T. F. Richards, (Wolverhampton); Answer, The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 742

MINING ROYALTIES.—Question, Mr. Fullerton; Answer, Mr. Gladstone 742

CASE OF RICHARD FLYNN.—Questions, Mr. O'Grady (Leeds, E.), Mr. J. Ward; Answer, Mr. Gladstone 743

CASE OF ELIZABETH PERKINS.—Question, Sir George Doughty (Great Grimsby); Answer, Mr. Gladstone 744

HEAVY SENTENCES AT THE BEDFORD QUARTER SESSIONS.—Questions, Mr. Thorne, (West Ham, S.), Mr. George Roberts (Norwich); Answer, Mr. Gladstone .. 745

CASE OF MAX NETTLAU.—Question, Mr. Keir Hardie; Answer, Mr. Gladstone .. 745

COMMITTALS FOR TRIAL.—Question, Mr. Bottomley (Hackney, S.); Answer, Mr. Gladstone 746

JUDICIAL STATISTICS.—Question, Mr. Bottomley; Answer, Mr. Gladstone .. 746

CHILD LIFE INSURANCE.—Question, Mr. Leif Jones (Westmoreland, Appleby); Answer, Mr. Gladstone 746

QUARRY ACCIDENTS.—Question, Mr. Ellis Davis (Carnarvonshire, Eifion); Answer, Mr. Gladstone 747

Nov. 8.] Page

BOROUGH COUNCIL ELECTIONS.—Question, Mr. C. J. O'Donnell (Newington, Walworth); Answer, The Secretary to the Local Government Board (Mr. Runciman, Dewsbury) 748

LOCH RYAN OYSTER FISHERY.—Question, Mr. Barrie (Londonderry, N); Answer, The President of the Board of Trade (Mr. Lloyd-George, Carnarvon Boroughs) 748

THE LADIES' COLLEGE, CHELTENHAM.—Question, Mr. O'Grady; Answer, The President of the Board of Education (Mr. Birrell, Bristol, N.) 748

BIBLES FOR NON-PROVIDED SCHOOLS.—Question, Mr. Lane-Fox (Yorkshire, W.R., Barkston Ash), Mr. Clough (Yorkshire, W.R., Shipton); Answer, Mr. Birrell 749

TENANTS OF CROWN LANDS.—Question, Mr. Harmood-Banner (Liverpool, Everton); Answer, Sir Edward Strachey, (Somerset, S.) 750

CROWN RECEIVER.—Question, Mr. Harmood-Banner; Answer, Sir Edward Strachey 751

LAND TENURE BILL.—Question, Mr. Partington (Derbyshire, High Peak); Answer, Sir Edward Strachey 751

PROSECUTIONS FOR CORRUPT ELECTORAL PRACTICES.—Question, Mr. Claude Hay; Answer, The Attorney-General (Sir John Walton, Leeds, S.) 752

KING'S BENCH TRIALS.—Question, Mr. Bottomley; Answer, Sir John Walton .. 752

SCOTTISH HISTORY.—Question, Mr. Gulland (Dumfries Burghs); Answer, The Secretary for Scotland (Mr. Sinclair, Forfarshire) 752

SALARIES OF IRISH NATIONAL SCHOOL TEACHERS.—Question, Mr. Vincent Kennedy (Cavan, W.); Answer, The Chief Secretary for Ireland (Mr. Bryce, Aberdeen, S.) 753

EVICTED FARMS IN COUNTY CAVAN.—Question, Mr. Vincent Kennedy; Answer, Mr. Bryce 753

GALWAY ELECTION DISTURBANCES.—Question, Mr. Barrie; Answer, Mr. Bryce 754

LORD FERMOY'S LIMERICK ESTATE.—Question, Mr. Lundon (Limerick, N.); Answer, Mr. Bryce 754

ADARA EVICTED TENANTS.—Question, Mr. Lundon; Answer, Mr. Bryce .. 755

COMPLAINT AGAINST MR. P. J. KELLY, J.P., OF LOUGHREA.—Question, Mr. Lonsdale (Armagh, Mid.); Answer, Mr. Bryce 756

PROVISION FOR THE IRISH UNEMPLOYED.—Question, Mr. Lonsdale; Answer, Mr. Bryce 756

RIVERS FLOOD IN THE NORTH OF IRELAND.—Questions, Mr. John O'Connor (Kildare, N.), Mr. Delany (Queen's County, Ossory); Answer, Mr. Bryce .. 756

IRISH TRAINING COLLEGES.—Question, Mr. John Redmond (Waterford); Answer, Mr. Bryce 757

Arklow Harbour.—Question, Sir Thomas Esmonde (Wexford, N.); Answer, Mr. Bryce 759

Courtown Harbour.—Question, Sir Thomas Esmonde; Answer, Mr. Bryce .. 7 5

Irish Policy of the Government.—Question, Mr. Lonsdale; Answer, The Prime Minister and First Lord of the Treasury), Sir H. Campbell-Bannerman, Stirling Burghs) 760

Census of Production Bill.—Reported from the Standing Committee on Trade, etc., with Amendments.

Report to lie upon the Table, and to be printed. [No. 344.]

Minutes of the Proceedings of the Standing Committee to be printed. (No. 344.]

Bill, as amended (in the Standing Committee), to be taken into consideration upon Monday next, and to be printed. [Bill 352.] 761

Adjournment.—Mr. T. L. Corbett, Member for North Down, rose in his place, and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance, viz., "the decision of the Government to discharge a number of invalid soldiers, who are unable to earn their livelihood, from Netley Hospital, without giving the House of Commons an opportunity of considering what provision can be made for them;" and, the pleasure of the House being signified, the Motion stood over, under Standing Order No. 10, until a quarter past Eight this evening 761

Land Tenure Bill.—As amended (by the Standing Committee), further considered.

Mr. Beale (Ayrshire, S.) 762

Amendment proposed—

"In page 2, line 11, after the word 'agreement,' to insert the words 'made after the damage has been suffered.'"—(*Mr. Beale.*)

Question proposed, "That those words be there inserted."

Sir Edward Strachey (Somersetshire, W.) 762

Question put and agreed to.

Mr. Paulton (Durham, Bishop Auckland) 762

Amendment proposed—

"In page 2, line 11, after the word 'arbitration,' to insert the words, 'and the arbitrator shall have regard to any existing arrangements between owner and occupier under which damage by game has been taken into consideration.'"—(*Mr. Paulton.*)

Question proposed, "That those words be there inserted in the Bill."

Nov. 8.] Page

Sir Edward Strachey 763
Viscount Turnour 763
Mr. Whitbread (Hunts, Huntingdon) 764
Colonel Lockwood (Essex, Epping) 764
Mr. Charles Craig (Antrim, S.) 764
The Solicitor-General for Scotland (Mr. Ure, Linlithgowshire) 765
Mr. Courthope (Sussex, Rye) 766
Mr. J. Ward (Stoke-on-Trent) 766
Mr. William Rutherford (Liverpool, West Derby) 767
Mr. Alexander Cross (Glasgow, Camlachie) 767
Mr. A. J. Balfour (City of London) 769
The Solicitor-General (Sir William Robson, South Shields) 769
Mr. Cochrane (Ayrshire, N.) 772

Amendment to the proposed Amendment—

"To leave out the word 'existing,' and insert after the word 'arrangement' the words 'existing at the time of the passing of the Act.' "—(*Mr. Cochrane.*)

Agreed to.

Question proposed, "That those words, as amended, be there inserted in the Bill."

Mr. Paulton 772
Mr. Everett (Suffolk, Woodbridge) 773
Sir A. Acland-Hood (Somersetshire, Wellington) 773
Viscount Castlereagh (Maidstone) 774
Mr. Hicks Beach (Gloucestershire, Tewkesbury) 774

Question put.

The House divided:—Ayes, 92; Noes, 281. (Division List No. 385.)

Mr. Everett 777

Amendment proposed—

"In page 2, line 18 to leave out the words 'one week,' and insert the words 'three days,' "—(*Mr. Everett.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir Edward Strachay 778

Question put and agreed to.

Amendment proposed—

"In page 2, line 20, at end, insert '(3) Where the landlord proves that under a contract of tenancy made before the commencement of this Act, any compensation for damage by game is payable, or that in fixing the rent to be paid under such contract allowance in respect of such damage to an agreed amount was expressly made, the arbitrator shall, in assessing the compensation under this section, make such deduction from the compensation which would otherwise be payable as may appear just.' "—(*Sir W. Robson.*)

Question proposed, " That those words be there inserted in the Bill."

Mr. Cochrane 779
Colonel Lockwood 779

Amendment proposed to the proposed Amendment—

" To leave out the words ' to an agreed amount.' "—(*Mr. Everett.*)

Question proposed, " That the words proposed to be left out stand part of the proposed Amendment."

Mr. Abel Smith (Hertfordshire, Hertford) 780
Mr. Nussey (Pontefract) 781
Viscount Turnour 781
Sir F. Banbury (City of London) 781
Sir Brampton Gurdon (Norfolk, N.) 782
Mr. Winfrey (Norfolk, S.W.) 782
Mr. Rawlinson (Cambridge University) 782
Mr. A. J. Balfour 783
Mr. Gibbs (Bristol, W.) 785
Mr. Gibbs (Bristol, W.) 785
Colonel Kenyon-Slaney (Shropshire, Newport) 786
Sir W. Robson 786
Mr. Harold Cox (Preston) 787

Question put.

The House divided :—Ayes, 305 ; Noes, 101. (Division List No. 386.)

Original Question again proposed.

Colonel Kenyon-Slaney 791

Amendment proposed to the proposed Amendment—

" In line 4, after the word, ' made' to insert the words ' or where payments or allowances have been made by the landlord in respect of such damage.' "—(*Colonel Kenyon-Slaney.*)

Question proposed, " That those words be there inserted in the proposed Amendment to the Bill."

Mr. Ure 791
Mr. Rawlinson 791
Sir W. R. Robson 792
Mr. Lyttelton (St. George's, Hanover Square) 792
Colonel Lockwood 792
Viscount Turnour 793

Nov. 8.] Page

Question put.

The House divided :—Ayes, 81 ; Noes, 332. (Division List No. 387.)

Proposed words there inserted in the Bill.

Mr. Beale 797
Colonel Lockwood 798

Amendment proposed—

> "In page 2, line 20, after the word 'made,' to insert the words 'Provided also that the arbitrator shall take into consideration the question whether the crop was a proper mode of cultivation and that no compensation shall be included for damage which the arbitrator shall deem to be due to the neglect or refusal of the tenant to take such precautions to mitigate or prevent the damage as he could reasonably have taken without himself incurring any special expense for the purpose, and having regard to any permission or facilities given or offered by the landlord.'" (*Mr. Beale.*)

Question proposed, "That those words be there inserted in the Bill."

Sir W. Robson 799
Mr. Stuart Wortley (Sheffield) 800
Mr. Bridgeman (Shropshire, Oswestry) 800
Colonel Kenyon-Slaney 801
Mr. Ure 801
Viscount Turnour 801
Mr. Beale 801
Mr. William Redmond (Clare, E.) 801

Question put.

The House divided :—Ayes, 68 ; Noes, 307. (Division List No. 388.)

Amendment proposed to the Bill—

> "In page 2, line 21, after the word 'kill,' to insert the word 'the.'" —(*Colonel Kenyon-Slaney.*)

Question proposed, "That the word 'the' be there inserted in the Bill."

Amendment, by leave, withdrawn.

Mr. Abel Smith 807
Viscount Turnour 803

Amendment proposed—

> 'In page 2, line 24, at end, to add the words, 'Such other person shall be entitled to the same notice of intention to make a claim as the landlord is entitled to under this section, and the same limit of time within which a claim can be made shall apply.'"—(*Mr. Abel Smith.*)

Question proposed, "That those words be there inserted in the Bill."

Colonel Kenyon-Slaney 809
The Civil Lord of the Admiralty (Mr. Lambeth, Devonshire, South Molton) 809
Mr. Mitchell-Thomson (Lanarkshire, N.W.) 809
Mr. Hicks Beach 810
Mr. Ure 811
Sir Frederick Banbury 812

Question put.

The House divided:—Ayes, 53; Noes, 275. (Division List No. 389.)

Mr. Cochrane 815

Amendment proposed to the Bill—

"In page 2, line 24, at the end, to insert the words, '(4) This section shall not apply to Scotland.'"—(*Mr. Cochrane.*)

Question proposed, "That those words be there inserted in the Bill."

And, it being a quarter past Eight of the Clock, and leave having been given to move the Adjournment of the House under Standing Order No. 10, further proceeding was postponed without Question put.

NETLEY HOSPITAL—DISCHARGE OF INVALID SOLDIERS.

Mr. T. L. Corbett (Down, N.) 817
Lord R. Cecil (Marylebone, E.) 820

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. T. L. Corbett.*)

The Secretary of State for War (Mr. Haldane, Haddington) 824
Major Seely (Liverpool, Abercromby) 827
Sir Samuel Scott (Marylebone, W.) 829
Mr. Delany (Queen's County, Ossory) 830
Mr. Burdett-Coutts (Westminster) 831
Mr. Maddison (Burnley) 833
Mr. H. H. Marks (Kent, Thanet) 836
Mr. Wyndham (Dover) 837
Mr. J. Ward (Stoke-upon-Trent) 840
Mr. Claude Hay (Shoreditch, Hoxton) 842
Mr. Causton (Southwark, W.) 844
Mr. Forster (Kent, Sevenoaks) 844
Mr. Wm. Redmond (Clare, E.) 846

Qustion put, "That this House do now adjourn."

The House divided:—Ayes, 61; Noes, 259. (Division List No. 390.)

Land Tenure Bill.—Postponed proceeding on Amendment proposed on consideration of the Bill, as amended, resumed.

Question again proposed, "That those words be there inserted in the Bill."

Motion made, and Question, "That the Debate be now adjourned"—(*Mr. Whiteley*)—put, and agreed to.

Debate to be resumed To-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at ten minutes after Eleven o'clock.

HOUSE OF COMMONS: FRIDAY, 9TH NOVEMBER, 1906

The House met at Twelve of the Clock.

PRIVATE BILL BUSINESS.

Clydebank and District Water and Burgh Extension Order Confirmation Bill.—Read the third time, and passed 853

PETITIONS.

LAND VALUES TAXATION, ETC. (SCOTLAND) BILL.—Petition from Perth, against; to lie upon the Table 853

MOTOR TRAFFIC.—Petition from Driffield, for legislation; to lie upon the Table .. 853

SMALL LANDOWNERS (SCOTLAND) BILL.—Petition from Balquhidder, in favour; to lie upon the Table 853

RETURNS, REPORTS, ETC.

WEIGHTS AND MEASURES.—Copy presented of Report by the Board of Trade on their Proceedings and Business under the Weights and Measures Acts [by Act]; to lie upon the Table, and to be printed. [No. 345.] 853

INTERMEDIATE EDUCATION (IRELAND).—Copy presented, of Rules and Programme of Examinations for 1908 [by Act]; to lie upon the Table, and to be printed. [No. 346.] 853

SUPERANNUATION ACT, 1884.—Copy presented, of Treasury Minute, dated 2nd November, 1906, delaring that James Joy, labourer, Royal Gun Factory, War Office, was appointed without a Civil Service Certificate through inadvertence on the part of the head of his Department [by Act]; to lie upon the Table 853

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.—Women's Suffrage. Return relative thereto [ordered 8th November, *Mr. Alfred King*]; to be printed. [No. 347.] 854

Nov. 9.] Page

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

PUBLICATION OF FISHERY BOARD ORDERS IN MONTGOMERYSHIRE.—Question, Mr. Rees (Montgomery Boroughs); Answer, Sir Edward Strachey .. 854

PROMOTION IN THE CIRCULATION OFFICE (POST OFFICE)—OFFICERS OVER SIXTY YEARS OF AGE.—Question, Mr. Steadman (Finsbury, Central); Answer, Mr. Sydney Buxton 854

INNISHLYNE HARBOUR WORKS—RETURN OF CORRESPONDENCE.—Question, Dr. Ambrose (Mayo, W.); Answer, Mr. Bryce 855

ADJOURNMENT.—Resolved. That this House, at its rising this day, do adjourn till Monday next.—(*Mr. Attorney-General.*)

Trade Disputes Bill.—Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Lord R. Cecil (*Marylebone, E.*) 856
Mr. Charles Craig (*Antrim, S.*) 861

Amendment proposed—

"To leave out all the words after 'be' and to insert the words 'recommitted in respect of Clause 5.'"—(*Lord R. Cecil.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. T. P. O'Connor (*Liverpool, Scotland*) 866
Mr. Clavell Salter (*Hants, Basingstoke*) 869
Mr. Nicholls (*Northamptonshire, N.*) 872
Mr. Barrie (*Londonderry, N.*) 873
The Attorney-General (*Sir John Walton, Leeds, S.*) 874
Mr. A. J. Balfour (*City of London*) 876

Question put.

The House divided:—Ayes, 220; Noes, 46. (Division List No. 391.)

Main Question proposed.

Mr. Fell (*Great Yarmouth*) 881
Sir Frederick Banbury (*City of London*) 883
Mr. Simon (*Essex, Walthamstow*) 889
Mr. Shackleton (*Lancashire, Clitheroe*) 892
Sir Gilbert Parker (*Gravesend*) 896
Mr. Paul (*Northampton*) 900
Mr. Clavell Salter 902
Mr. A. J. Balfour 906
Sir John Walton 912
Mr. Bell (*Derby*) 915

Question put, and agreed to.

Nov. 9.] *Page*

Bill read the third time, and passed.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of 4th August last.

Adjourned at two minutes before Five o'clock till Monday next.

HOUSE OF LORDS: MONDAY, 12TH NOVEMBER, 1906.

REPRESENTATIVE PEER FOR SCOTLAND.—The Clerk of the Parliaments delivered a certificate of the Clerk of the Crown, that the Earl of Rothes had been elected a Representative Peer for Scotland in the room of the Earl of Leven and Melville, deceased; certificate read 917

PRIVATE BILL BUSINESS.

Clyde Bank and District Water and Burgh Extension Order Confirmation Bill—Brought from the Commons and read 1a; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899), deemed to have been read 2a. (The Lord Hamilton of Dalzell), and reported from the Committee. (No. 213.) 917

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against—of inhabitants of the parish of Stone; of trustees of Church of England schools in the diocese of Salisbury.

Read, and ordered to lie on the Table 917

EDUCATION (ENGLAND AND WALES) Bill.—Petition for Amendment of; of inhabitants of Petworth; read, and ordered to lie on the Table 917

RETURNS, REPORTS, ETC.

AFRICA.—Correspondence relating to the preservation of wild animals in Africa 917

BOARD OF EDUCATION (VOLUNTARY SCHOOLS TRANSFER).—Classified statement of cases in which the premises of voluntary schools subject to charitable trusts have been transferred since 1902 to local education authorities for valuable consideration 917

BANKING, RAILWAY, AND SHIPPING STATISTICS (IRELAND).—Report for June, 1906 918

INDIA.—Resignation of Sir J. Bamfylde-Fuller, K.C.S.I., C.I.E., Lieutenant-Governor of Eastern Bengal and Assam 918

WAGES (STANDARD TIME RATES).—Standard time rates of wages in the United Kingdom at 1st October, 1906. 918

INEBRIATES ACTS, 1879–1900.—Report of the Inspector under the Inebriates Acts, 1879–1900, for the year 1905.

Presented (by Command), and ordered to lie on the Table 918

Nov. 12.] *Page*

Labourers (Ireland) Acts, 1883–1906 (Labourers (Ireland) Order, 1906).—General rules for carrying into effect the Labourers (Ireland) Acts, 1883–1906 918

Weights and Measures.—Report by the Board of Trade on their proceedings and business under the Weights and Measures Acts 918

Intermediate Education (Ireland).—Rules and programme of examinations for 1908 918

Superannuation.—Treasury minutes, dated 2nd November, 1906, granting a retired allowance to Francis Hancock, sorting clerk and telegraphist, Post Office, under Section 2 of the Superannuation Act; declaring that James Joy, labourer, Royal Gun Factory, War Office, was appointed without a Civil Service certificate through inadvertence on the part of the head of his department.

Laid before the House (pursuant to Act), and ordered to lie on the Table 918

Trade Disputes Bill.—Trade Disputes Bill, brought from the Commons; read 1a, and to be printed. (No. 212) 918

Voluntary Schools.

The Lord Bishop of Wakefield 919
The Lord President of the Council (*The Earl of Crewe*) 920

The Chinese Compounds.

The Lord Archbishop of Canterbury 921
The Lord Privy Seal (*The Marquess of Ripon*) 921

Education (England and Wales) Bill.—House again in Committee (according to Order).

(The Earl of Onslow in the Chair.]

Viscount Llandaff 921

Amendment moved—

"On page 6, after Clause 6, to insert, '7.—(1) The obligation of a parent to cause his child to attend school shall, notwithstanding any by-law, include an obligation to cause the child to attend at the schoolhouse during the portion of the school hours allotted to any religious observance or to instruction in religious subjects. Provided that the local education authority and the managers shall provide during the time so allotted for children who are withdrawn by their parents from any such observance or instruction some form of secular instruction, and that a parent shall not be subject to any penalty under this section for not causing his child to attend the schoolhouse during any time so allotted, if he shows to the satisfaction of the Court that he has caused his child during that time to attend some form of religious observance or instruction elsewhere."—(*Viscount Llandaff.*)

Nov. 12.]

Page

Lord Clifford of Chudleigh 924
The Lord Bishop of Hereford 925
Viscount St. Aldwyn 929
The Earl of Crewe 932
Viscount Halifax 934
Lord Stanley of Alderley 934
Lord Avebury 937
The Lord Bishop of Salisbury 937
The Lord Bishop of Birmingham 937
The Marquess of Lansdowne 938
Viscount Llandaff 939
Viscount St. Aldwyn 940

On Question, "That those words be there inserted," their Lordships divided. Contents, 151; Not-contents, 43.

Amendment moved—

"In line 9, after the word 'that,' to insert the following words, 'In the case of schools in which no facilities for religious instruction of a special character are afforded under this Act.'"—(*Viscount St. Aldwyn.*)

On Question, Amendment agreed to.

Viscount Llandaff 943
The Earl of Crewe 946
The Earl of Camperdown 947
Viscount St. Aldwyn 947
Lord Belper 949
Marquess of Lansdowne 949

Clause 7, as amended, agreed to.

Clause 8 :—

Lord Monkswell 950

Amendment moved—

"In page 6, line 36, after the word 'school' to insert the words 'appointed after the passing of this Act.'"—(*Lord Monkswell.*)

Viscount Halifax 952
The Earl of Crewe 953
Lord Monkswell 958
The Lord Archbishop of Canterbury 958
Earl Cawdor 964
The Lord Bishop of Bath and Wells 966
The Marquess of Londonderry 969
The Lord Bishop of St. David's 973
Lord Ampthill 974
Lord Stanley of Alderley 978
The Lord Bishop of St. Asaph 981
The Earl of Crewe 982
The Marquess of Lansdowne 986
The Marquess of Ripon 990
The Duke of Devonshire 993
Earl Cawdor 995

Amendment moved—

"In page 6, line 37, to leave out the first 'not,' and to insert 'be permitted by the local education authority to.' "—(*Earl Cawdor.*)

On Question, "That the word 'not' stand part of the clause," their Lordships divided :—Contents, 46 ; Not-contents, 147.

Proposed words inserted.

Amendment moved—

"In page 6, line 40, to leave out from 'Act' to the end of the subsection."—(*Earl Cawdor.*)

On Question, Amendment agreed to.

House resumed, and to be again in Committee on Wednesday next.

House adjourned at twenty minutes past Eleven o'clock, to Wednesday next, a quarter past Four o'clock.

HOUSE OF COMMONS: MONDAY, 12TH NOVEMBER, 1906.

The House met at a quarter before Three of the Clock.

PETITIONS.

PARLIAMENTARY FRANCHISE.—Petition from Brentford, for extension to women ; to lie upon the Table 998

RETURNS, REPORTS, ETC.

BOARD OF TRADE (LABOUR DEPARTMENT) WAGES (STANDARD TIME RATES).—Copy presented of Standard Time Rates of Wages in the United Kingdom on 1st October, 1906 [by Command] ; to lie upon the Table 998

BANKING, RAILWAY AND CANAL STATISTICS (IRELAND).—Copy presented of Report on the Banking, Railway and Canal Statistics of Ireland for the half-year ended 30th June, 1906 [by Command] ; to lie upon the Table 998

LABOURERS (IRELAND) ACT, 1906.—Copy presented of General Rules for carrying into effect the Labourers (Ireland) Acts, 1883 to 1906 [by Act] ; to lie upon the Table 999

AFRICA.—Copy presented of correspondence relating to the Preservation of Wild Animals in Africa [by Command] ; to lie upon the Table 999

INEBRIATES ACTS (INSPECTORS' REPORT).—Copy presented of Reports of the inspector under the Inebriates Acts, 1879 to 1900, for the year 1905 [by Command] ; to lie upon the Table 999

EAST INDIA (RESIGNATION OF SIR J. B. FULLER).—Copy presented of Statement relating to the resignating of Sir J. Bampfylde Fuller, K.C.S.I., C.I.E., Lieutenant-Governor of Eastern Bengal and Assam [by Command] ; to lie upon the Table 999

Nov. 12.]

Page

Opium (Burma).—Return presented, relative thereto [Address 3rd July; *Mr. Annan Bryce*]; to lie upon the Table, and to be printed. [No. 348.] .. 999

Burmah (Opium).—Return presented, relative thereto [Address 30th July; *Mr. Allen Baker*]; to lie upon the Table, and to be printed. [No. 349.] .. 999

Superannuation Act, 1887.—Copy presented of Treasury Minute, dated 2nd November, 1906, granting to Francis Hancock, sorting clerk and telegraphist, Post Office, a retiring allowance under the Act [by Act]; to lie upon the Table 999

Board of Education.—Copy presented of classified statement of cases in which the premises of voluntary schools subject to Charitable Trusts have been transferred, since 1902, to Local Education Authorities for valuable consideration [by Command]; to lie upon the Table 999

Transvaal Government and Mining Returns.—Question, Major Seely (Liverpool, Abercromby); Answer, Mr. Churchill 1000

Annual Return of Fleets—Return of Guns.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson 1000

Cemeteries and Adjacent Houses.—Question, Mr. H. H. Marks (Kent, Thanet); Answer, Mr. John Burns 1000

Unemployed at Farm Colonies—Expense of Sending Voters to London.—Question, Mr. Fell (Great Yarmouth); Answer, Mr. John Burns 1001

Whaling Operations and the Shetland Herring Industry.—Question, Mr. Cathcart Wason (Orkney and Shetland); Answer, Mr. Sinclair.. .. 1002

The Soap Trust.—Question, Mr. Chiozza Money (Paddington, W.); Answer, Mr. Lloyd-George 1002

Workmen's Trains.—Question, Mr. Thorne (West Ham); Answer, Mr. Lloyd-George 1003

Third Class Railway Season Tickets.—Question, Mr. Hudson (Newcastle-on-Tyne); Answer, Mr. Lloyd-George 1003

Great Southern and Western Railway Company (Ireland)—Scarcity of Cattle Trucks at Abbeyfeale.—Question, Mr. O'Shaughnessy (Limerick, W.); Answer, Mr. Lloyd-George 1004

Prices of Sugar—Question, Mr. Mitchell-Thomson (Lanarkshire, N.W.); Answer, Mr. Lloyd-George 1004

Third Class Sleeping Accommodation on Railways.—Question, Mr. Rees (Montgomery Boroughs); Answer, Mr. Lloyd-George 1007

Opium Grown in, and Imported into China.—Question, Mr. Lynch (Yorkshire, W.R., Ripon); Answer, Mr. Runciman 1007

Reinstatement of Evicted Tenants.—Question, Mr. Thomas Smyth (Leitrim, S.); Answer, Mr. Bryce 1008

Sale of Irish Estates—Case of Elizabeth Armstrong.—Question, Mr. MacVeigh (Down, S.); Answer, Mr. Bryce .. 1009

Construction of Pier at Reenard, County Kerry.—Question, Mr. Boland (Kerry, S.); Answer, Mr. Bryce .. 1009

Shooting Outrage at Scarva on 15th August.—Question, Mr. Liddell (Down, W.); Answer, Mr. Bryce .. 1010

Proceedings for Recovery of Rent on the Lambert Minors Estate (County Galway).—Question, Mr. Lonsdale (Armagh, Mid); Answer, Mr. Bryce .. 1010

Drumlease Band—Disturbance at Dromahair.—Question, Mr. Dolan (Leitrim, N.); Answer, Mr. Bryce .. 1011

Irish Educational Grants.—Question, Mr. Murphy (Kerry, E.); Answer, Mr. Bryce .. 1011

Inspection of Estates sold in County Longford.—Question, Mr. J. P. Farrell (Longford, N.); Answer, Mr. Bryce .. 1012

Irish Poor Law Commission Rporet.—Question, Mr. Barrie (Londonderry, N.); Answer, Mr. Bryce .. 1013

Relief of Distress Caused by Failure of the Potato Crop.—Question, Mr. Dolan; Answer, Mr. Bryce .. 1013

Government Grants to Evicted Tenants.—Question, Mr. Lonsdale; Answer, Mr. Bryce .. 1014

Royal Arsenal and Dockyard—Plant, Machinery, Buildings, Wages, etc.—Question, Mr. Crooks (Woolwich); Answer, Mr. Haldane .. 1014

Railway Development in Northern Nigeria.—Question, Mr. Lyell (Dorsetshire, E.); Answer, Mr. Churchill .. 1017

Visits of Vice-Consuls to Manufacturing Centres.—Question, Mr. Yoxall (Nottingham, W.); Answer, Sir Edward Grey .. 1019

Examination for Vice-Consulship.—Question, Mr. Yoxall; Answer, Sir Edward Grey .. 1019

Small Holdings in Highland Congested Districts.—Question, Mr. Weir (Ross and Cromarty); Answer, Mr. Sinclair .. 1020

Delay in Introducing Edinburgh Tramway Bill.—Question Lord Dalmeny (Einburgh, Midlothian); Answer, Mr. Sinclair .. 1021

Irish Ordnance Survey Maps and Army Votes.—Question, Mr. Field (Dublin, St. Patrick); Answer, Mr. Haldane .. 1021

Grants for Training of Midwives.—Question, Mr. W. Hope (Somersetshire, N.); Answer, Mr. John Burns .. 1022

Cocoa Imported into Great Britain from San Thomé Principe and British West Indies.—Question, Mr. Mitchell-Thomson; Answer, Mr. Lloyd-George .. 1022

Ramsgate Proposed Elementary School, Objections to Site.—Question, Mr. Alden (Middlesex, Tottenham); Answer, Mr. Birrell 1025

Appeal Notices Against Income-Tax Assessments.—Question, Mr. Sears (Cheltenham); Answer, Mr. Asquith 1025

Occupants of Farmhouses and the Beer Tax.—Question, Mr. Everett (Suffolk, Woodbridge); Answer, Mr. Asquith 1025

The Murder of Mr. Gosser of Darjeeling.—Question, Mr. Rees; Answer, Mr. B. Morley 1026

Burma Police Force.—Question, Sir Seymour King (Hull, Central); Answer, Mr. Morley 1026

Age Limit for Retirement of the Dublin Police Magistrates.—Question, Mr. Fetherstonhaugh (Fermanagh, N.); Answer, Mr. Bryce 1027

Application of Patrick M'Callion, of Bellaghy, for Labourer's Cottage.—Question, Mr. Patrick O'Brien (Kilkenny); Answer, Mr. Bryce .. 1027

Retiring Allowance to Miss M'Kee, Assistant Teacher of Armagh.—Question, Mr. McKillop (Armagh, S.); Answer, Mr. Bryce 1028

Sale of Mrs. Mahon's Estate at Stokestown—Reduction of Rent of Sub-Tenants.—Question, Mr. James O'Kelly (Roscommon, W.); Answer, Mr. Bryce 1029

Government's Proposals as to Ireland.—Question, Mr. Fetherstonhaugh; Answer, Sir H. Campbell-Bannerman 1029

QUESTIONS IN THE HOUSE.

British Shipbuilding Programme.—Question, Mr. Rees (Montgomery Boroughs); Answer, The Secretary to the Admiralty (Mr. Edmund Robertson, Dundee) 1030

Naval Returns.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson 1030

Painting His Majesty's Ships.—Question, Mr. Hart-Davies (Hackney); Answer, Mr. Edmund Robertson 1031

Withdrawal of Ships for the Home Fleet.—Question, Mr. F. E. Smith (Liverpool, Walton); Answer, Mr. Edmund Robertson 1031

Dartmouth Cadets—Instruction in Navigation.—Question, Mr. Bellairs; Answer, Mr. Edmund Robertson 1031

Chatham Dockyards.—Question, Mr. Jenkins (Chatham); Answer, Mr. Edmund Robertson 1032

Disturbances at Portsmouth.—Questions, Mr. O'Grady (Leeds, E.), Mr. Dalziel (Kirkcaldy Burghs); Answer, Mr. Edmund Robertson 1032

Nov. 12.] *Page*

WEI-HAI-WAI—DISBANDMENT OF THE CHINESE REGIMENT.—Question, Mr. Hart-Davies; Answer, The Secretary of State for War (Mr. Haldane, Haddington) 1033

SOLDIERS IN WORKHOUSES—DISCHARGES FROM MILITARY HOSPITALS.—Questions, Mr. Claude Hay (Shoreditch, Hoxton), Viscount Turnour (Sussex, Horsham), Mr. Ashley (Lancashire, Blackpool); Answer, Mr. Haldane .. 1034

SOUTH AFRICAN WAR MEDALS.—Question, Dr. Rutherford (Middlesex, Brentford); Answer, Mr. Haldane 1035

DISCHARGES FROM THE ROYAL GUN FACTORY, WOOLWICH.—Question, Sir Gilbert Parker (Gravesend); Answer, Mr. Haldane 1035

LIEUTENANT GAGE, OF 5TH DRAGOON GUARDS.—Question, Sir Gilbert Parker, Viscount Turnour; Answer, Mr. Haldane 1036

PRIVATE PEARCE, DORSETSHIRE REGIMENT.—Question, Colonel Herbert (Monmouthshire, S.); Answer, Mr. Haldane 1037

WAGES ON IPSWICH BARRACKS CONTRACT.—Question, Mr. J. Ward (Stoke-on-Trent); Answer, Mr. Haldane 1038

MILITARY ATTACHES, QUALIFICATIONS.—Question, Sir Gilbert Parker, Sir Howard Vincent (Sheffield, Central); Answer, Mr. Haldane 1038

WOOLWICH ARSENAL DISCHARGES.—Question, Mr. Remnant (Finsbury, Holborn), Mr. Dalziel; Answer, Mr. Haldane 1039

VOLUNTEER CAMP TRAINING.—Questions, Sir Samuel Scott (Marylebone, W.), Mr. McCrae (Edinburgh, E.); Answer, Mr. Haldane 1040

CHINDE FORESHORE.—Question, Mr. Rees; Answer, The Under-Secretary of State for the Colonies (Mr. Churchill, Manchester, N.W.) 1041

WHITE LABOUR IN JOHANNESBURG.—Question, Mr. Duncan Schwann (Cheshire, Hyde); Answer, Mr. Churchill 1042

WAGES IN THE WITWATERSAND MINES.—Question, Mr. Duncan Schwann; Answer, Mr. Churchill 1042

CHINESE IN THE RAND MINES.—Question, Mr. Pickersgill (Bethnal Green, S.W.); Answer, Mr. Churchill 1042

SCOTTISH LABOUR FOR CANADIAN RAILWAY WORKS.—Question, Mr. Morton (Sutherland); Answer, Mr. Churchill 1043

STRAITS SETTLEMENTS FINANCE.—Question, Sir David Brynmor Jones (Swansea) District); Answer, Mr. Churchill 1043

OPIUM IN THE TRANSVAAL.—Questions, Mr. Theodore Taylor (Lancashire, Radcliffe), Sir Gilbert Parker; Mr. Lupton (Lincolnshire, Sleaford), Sir H. Cotton (Nottinghamshire); Answers, Mr. Churchill 1044

NORTHERN NIGERIA—COST OF LIVING FOR ARMY OFFICERS.—Question, holonel Lockwood (Essex, Epping), Mr. Cathcart Wason; Answer, Mr. Churchill .. 1045

NORTHERN NIGERIA—ALLOWANCES TO CIVIL SERVANTS.—Question, Colonel Lockwood; Answer, Mr. Churchill 1047

NORTHERN NIGERIA—HUTS FOR OFFICERS.—Question, Colonel Lockwood; Answer, Mr. Churchill 1048

LABOUR RECRUITING IN PORTUGUESE TERRITORY.—Questions, Mr. Mackarness (Berkshire, Newbury), Mr. Dalziel; Answer, Mr. Churchill 1048

NEWFOUNDLAND FISHERIES H.M.S. "BRILLIANTE."—Question, Mr. Lonsdale (Armagh, Mid.); Answer, Mr. Churchill 1050

BRITISH WEST INDIES—DEPARTMENT OF AGRICULTURE.—Question, Mr. Mitchell-Thomson (Lanarkshire, N.W.); Answer, Mr. Churchill 1050

LORD SELBORNE AND THE TRANSVAAL ELECTIONS.—Questions, Mr. Molteno (Dumfriesshire), Mr. Dalziel, Mr. J. Ward; Answer, Mr. Churchill, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman Stirling Burghs) 1051

GAMBLING IN FEDERATED MALAY STATES.—Question, Mr. Cathcart Wason; Answer, Mr. Churchill 1053

THE BOER RAID.—Questions, Mr. A. J. Balfour (City of London), Mr. Dalziel; Answer, Mr. Churchill, Mr. Flavin 1053

THE CONGO COMMISSION OF INQUIRY.—Question, Mr. Higham (Yorkshire, W.R.); Answer, The Secretary to the Local Government Board (Mr. Runciman, Dewsbury) 1055

ITALY AND THE TRIPLE ALLIANCE.—Question, Mr. Lonsdale; Answer, Mr. Runciman 1055

THE ALGECIRAS ACT.—Question, Mr. Lonsdale; Answer, Mr. Runciman .. 1055

NEW CHINESE BOARD OF COMMUNICATION.—Question, Mr. Lonsdale; Answer, Mr. Runciman 1055

CHINESE CUSTOMS.—Question, Mr. Lonsdale; Answer, Mr. Runciman 1056

VACCINATION EXEMPTION CERTIFICATES.—Question, Mr. Hart Davies; Answer, The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 1057

DETENTION FOR TRIAL.—Question, Mr. Pickersgill; Answer, Mr. Gladstone 1057

CHANNEL ISLANDS AND THE SHIPPING LAWS.—Question, Sir W. J. Collins (St. Pancras, W.); Answer, Mr. Gladstone 1058

THE IMMIGRATION OF ALIENS.—Question, Sir Howard Vincent (Sheffield, Central); Answer, Mr. Gladstone 1058

CHILD PAPER SELLERS.—Question, Mr. Wedgwood (Newcastle-under-Lyme); Answer, Mr. Gladstone 1059

MAGISTERIAL OATHS.—Question, Mr. Brace (Glamorgan, E.); Answer, Mr. Gladstone 1060

Nov. 12.] Page

TREATMENT OF DEBTOR AT WORMWOOD SCRUBBS.—Question, Mr. O'Grady; Answer, Mr. Gladstone 1060

COST OF PUBLIC VACCINATION.—Question, Mr. Pickersgill; Answer, The President of the Local Government Board (Mr. John Burns, Battersea) 1061

ALIENS IN THE WHITECHAPEL UNION.—Questions, Sir W. Evans Gordon (Tower Hamlets, Stepney), Sir Howard Vincent; Answer, Mr. John Burns 1061

ADMINISTRATION OF THE VACCINATION ACTS.—Question, Sir W. J. Collins; Answer, Mr. John Burns 1062

DEATHS FROM STARVATION IN LONDON.—Question, Mr. Alden (Middlesex, Tottenham); Answer, Mr. John Burns 1062

THE BORESTONE, STIRLINGSHIRE.—Question, Mr. Smeaton (Stirlingshire); Answer, Mr. Runciman 1063

CHILDREN IN REGENTS PARK.—Question, Mr. Whitehead (Essex, S.E.); Answer, Mr. Runciman 1064

PARLIAMENTARY PROCEDURE.—Question, Mr. C. B. Harmsworth (Worcestershire, Droitwich); Answer, Sir H. Campbell-Bannerman 1064

BUTTER ADULTERATION.—Question, Mr. Flynn (Cork, N.); Answer, Sir H. Campbell-Bannerman 1065

DATE OF MEETINGS OF PARLIAMENT.—Question, Mr. Lynch (Yorkshire, W.R., Ripon); Answer, Sir H. Campbell-Bannerman 1065

ELECTORAL CORRUPTION.—Question, Mr. Swift MacNeill (Donegal, S.); Answer, Sir H. Campbell-Bannerman 1065

THE DOGGER BANK INQUIRY AND COMMISSION ARBITRATION.—Question, Mr. Cremer (Shoreditch, Haggerston); Answer, Sir H. Campbell-Bannerman .. 1066

Workmen's Compensation Bill.—Question, Mr. F. E. Smith; Answer, Sir H. Campbell-Bannerman 1067

NAVAL POWER STANDARD.—Question, Mr. F. E. Smith; Answer, Sir H. Campbell-Bannerman 1067

TRANSVAAL CONSTITUTION.—Questions, Mr. Lyttelton, Mr. Dalziel; Answer, Sir H. Campbell-Bannerman 1067

NEW MEMBER SWORN.—Stephen Lucius Gwynn, esquire, for the Borough of Galway 1068

BUSINESS OF THE HOUSE.

Motion made, and Question put, "That the proceedings on the further consideration of the Land Tenure Bill, as amended, if under consideration at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House)."—(*Sir Henry Campbell-Bannerman.*)

The House divided:—Ayes, 274; Noes, 70. (Division List No. 392) .. 1068

Land Tenure Bill.—Order read, for resuming Adjourned Debate on Amendment proposed [8th November] on Consideration of the Bill, as amended (by the Standing Committee) :—

Which Amendment was—

"In page 2, line 24, at the end, to insert the words, '(4) This section shall not apply to Scotland.' "—(*Mr. Cochrane.*)

Question again proposed, "That those words be there inserted in the Bill."

Mr. Mitchell-Thomson (Lanarkshire, N.W.) .. 1071
The Solicitor-General for Scotland (Mr. Ure, Linlithgowshire) .. 1074
Mr. Younger (Ayr Burghs) .. 1075
Viscount Turnour (Sussex, Horsham) .. 1076
Mr. Courthope (Sussex, Rye) .. 1077
Sir Frederick Banbury (City of London) .. 1077
Mr. Wm. Rutherford (Liverpool, West Derby) .. 1077
Mr. Alexander Cross (Glasgow, Camlachie) .. 1078

Question put.

The House divided :—Ayes, 69 ; Noes, 284. (Division List No. 393.)

Mr. Beale (Ayrshire, S.) .. 1081

Amendment proposed—

"In page 2, line 24, at end, add the words 'And for this purpose (1) such other person shall be entitled to have the amount of compensation determined by arbitration to which he is a party, and (2) the arbitrator may relieve or partially relieve such other person from his obligation to indemnify, if it appear to the arbitrator that such other person was prevented by the terms on which he held his right to kill game from preventing or mitigating the damage."—(*Mr. Beale.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Abel Smith (Hertfordshire, Hertford) .. 1082
Mr. Ure .. 1082
Mr. Walter Long (Dublin, S.) .. 1083
Colonel Kenyon-Slaney (Shropshire, Newport) .. 1085
Sir Frederick Banbury .. 1085
Mr. Wm. Rutherford .. 1087

Question put, "That those words be there inserted in the Bill."

The House divided :—Ayes, 73 ; Noes, 299. (Division List, No. 394.)

Mr. Dunn .. 1091

Amendment proposed—

"In page 2, line 24, at end to add the word 'game,' in this Act shall for the purposes of this Act, be deemed to include deer, pheasants, partridges, grouse, and black game.' "—(*Mr. Dunn.*)

Nov. 12.] Page

Sir Edward Strachey (*Somersetshire, S.*) 1092
Colonel-Kenyon Slaney 1092
Mr. Younger 1093
Sir Frederick Banbury 1093

Amendment proposed to the proposed Amendment—

"To insert after the word 'deer' the words 'under any contract of tenancy made after the passing of this Act.'"—(*Mr. Younger.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

Mr. Ure 1094

Amendment to the proposed Amendment negatived.

Viscount Turnour 1094
Mr. Stanley Wilson (*Yorkshire, E.R., Holderness*) 1095

Amendment proposed to the proposed Amendment—

"After the word 'deer' to insert the words 'other than deer escaped from a deer park.'"—(*Viscount Turnour.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

Sir A. Acland Hood (*Somersetshire, Wellington*) 1096
Colonel Kenyon-Slaney 1096
Mr. Walter Long 1097
The Solicitor-General (*Sir W. Robson, South Shields*) 1097
Colonel Kenyon-Slaney 1098
Sir Frederick Banbury 1099
Mr. Dunn (*Cornwall, Camborne*) 1100
Mr. Courthope 1100

Question put.

The House divided :—Ayes, 78 ; Noes, 319. (Division List No. 395.)

Original Question again proposed.

Mr. Forster (*Kent, Sevenoaks*) 1103
Colonel Lockwood (*Essex, Epping*) 1104
Viscount Turnour 1105
Lord R. Cecil (*Marylebone, E.*) 1105
Sir W. Robson 1106
Mr. Walter Long 1106
Mr. Mildmay (*Devonshire, Totnes*) 1107
Mr. Rawlinson (*Cambridge University*) 1107
Sir Frederick Banbury 1107
Mr. Courtney Warner (*Staffordshire, Lichfield*) 1107
Mr. A. J. Balfour (*City of London*) 1107
The Secretary of State for War (*Mr. Haldane, Haddington*) 1109
Sir Robert Hobart (*Hants, New Forest*) 1110
Mr. Stuart Wortley (*Sheffield, Hallam*) 1110

Nov. 12.] Page

Question put.

The House divided :—Ayes, 309 ; Noes, 81. (Division List No. 396.)

Mr. Austen Chamberlain (*Worcestershire, E.*) 1115

Amendment proposed—

"In page 2, line 24, after the words last inserted to insert the words, 'Provided that any rights given by this section may be enforced against the Crown as fully as against a subject.'"—(*Mr. Austen Chamberlain.*)

Question proposed, "That those words be there inserted in the Bill."

Sir W. Bobson 1115
Mr. Forster 1117
Sir W. Robson 1117
Lord R. Cecil 1117
Mr. A. J. Balfour 1118

Amendment, by leave, withdrawn.

Sir Edward Strachey 1119

Amendment proposed—

"To leave out Clause 3."—(*Sir E. Strachey.*)

Question proposed, "That the word 'from' stand part of the Bill."

Mr. Lane-Fox (*Yorkshire, W.R., Barkston Ash*) 1120

Question put and negatived.

Clause 3 left out accordingly.

Sir Frederick Banbury 1120
Mr. Courthope 1123

Amendment proposed to the Bill—

"In page 2, line 30, to leave out Clause 4."—(*Sir Frederick Banbury.*)

Question proposed, "That the word 'notwithstanding' stand part of the Bill."

Sir Edward Strachey 1125
Colonel Lockwood 1126
Mr. Summerbell (*Sunderland*) 1128
Colonel Kenyon-Slaney 1129
Mr. Ure 1132
Mr. Walter Long 1135
Mr. Munro Ferguson (*Leith Burghs*) 1138
Mr. Lane-Fox 1139

Nov. 12.] Page

Mr. Seddon (Lancashire, Newton) 1140
Mr. J. F. Mason (Windsor) 1142
Mr. Starkey (Notts., Newark) 1142
Mr. Nussey (Pontefract) 1143
Sir John Randles (Cumberland, Cockermouth) 1143
Mr. Whitbread (Hunts, Huntingdon) 1144
Mr. Wyndham (Dover) 1146
Mr. Tomlinson (Cheshire, Crewe) 1149
Mr. Victor Cavendish (Derbyshire, W.) 1150
Mr. Barker (Penryn and Falmouth) 1151
Mr. Abel Smith 1152
Mr. Courtney Warner 1153
Mr. J. Ward (Stoke-on-Trent) 1153
Mr. A. J. Balfour 1154
Mr. Lupton (Lincs., Sleaford) 1158
Mr. Austen Chamberlain 1159

Motion made, and Question proposed, " That the Debate be now adjourned." —(*Mr. Austen Chamberlain*).

Mr. George Whiteley 1163
Mr. A. J. Balfour 1163
Mr. Haldane 1165
Mr. Walter Long 1166
Mr. Dalziel (Kirkcaldy Burghs) 1167
Colonel Kenyon-Slaney 1168

Question put.

The House divided :—Ayes, 77 ; Noes, 256. (Division List No. 397).

Question again proposed, " That the word ' notwithstanding ' stand part of the Bill."

Mr. Hicks Beach (Gloucester, Tewkesbury) 1173
Lord R. Cecil 1174
Viscount Turnour 1176
Mr. Hunt (Shropshire, Ludlow) 1177

Mr. HALDANE rose in his place, and claimed to move " That the Question be now put."

Question put, " That the Question be now put."

The House divided :—Ayes, 236 ; Noes, 67. (Division List No. 398).

Question put accordingly, " That the word ' notwithstanding ' stand par of the Bill."

The House divided :—Ayes, 236 ; Noes, 65. (Division List No. 399).

Mr. Stewart Smith (Westmorland, Kendal) 1183

Amendment proposed—

" In page 2, line 30, after the word ' notwithstanding,' to insert the words ' any custom of the country or.' "—(*Mr. Stewart Smith*).

Page

Sir Frederick Banbury 1185
Mr. Walter Long 1186
Mr. Haldane 1188
Colonel Kenyon-Slaney 1188
Mr. Abel Smith 1190
Mr. Courthope 1190
Mr. William Rutherford 1191
Mr. Everett (Suffolk, Woodbridge) 1192
Viscount Turnour 1192
Mr. Wyndham 1193
Sir W. Robson 1194
Mr. Lane Fox 1195
Mr. Clavell Salter (Hants., Basingstoke) 1196
Captain Craig (Down, E.) 1196

Question put.

The House divided :—Ayes, 203 ; Noes, 61. (Division List No. 400).

Mr. Courthope 1199
Mr. William Rutherford 1200

Amendment proposed—

"In page 2, line 30, after the word 'any' to insert the word 'future.'"—(*Mr. Courthope*).

Question proposed, "That the word 'future' be there inserted.'"

Sir Edward Strachey 1201
Mr. A. J. Balfour 1201
Mr. Haldane 1202
Viscount Helmsley (Yorkshire, N.R. Thirsk) 1202
Mr. Munro Ferguson 1204
Colonel Kenyon-Slaney 1204
Sir Frederick Banbury 1204

Motion made, and Question proposed, "That this debate be now adjourned."
(*Sir Frederick Banbury*).

Mr. A. J. Balfour 1206
Mr. Haldane 1208
Mr. Wyndham 1209
Mr. Munro Ferguson 1210
Viscount Helmsley 1211
Mr. Lane Fox 1211
Mr. Dalziel 1212
Mr. T. L. Corbett (Down, N.) 1212
Colonel Kenyon-Slaney 1213
Mr. Hunt 1213
Mr. Stanley Wilson 1213
Viscount Turnour 1214
Mr. George Whiteley 1215
Mr. Walter Long 1215
Viscount Castlereagh (Maidstone) 1215
Mr. Austen Chamberlain 1216

Nov. 12.] Page

Mr. Samuel Roberts (*Sheffield, Ecclesall*) 1217
Mr. H. H. Marks (*Kent, Thanet*) 1217
Mr. Carlile 1218
Mr. Clavell Salter 1220

Question put.

The House divided :—Ayes, 62 ; Noes, 182. (Division List No. 401).

Question again proposed, " That the word ' future ' be there inserted in the Bill."

Sir Samuel Scott (*Marylebone, W.*) 1223
Mr. Staveley Hill (*Staffordshire, Kingswinford*) 1223
Mr. Cochrane 1224

Mr. HALDANE rose in his place, and claimed to move, " That the Question be now put."

Question put, " That the Question be now put."

The House divided :—Ayes, 177 ; Noes, 56. (Division List No. 402.)

Question put accordingly, " That the word ' future ' be there inserted in the Bill."

The House divided :—Ayes, 56 ; Noes, 176. (Division List No. 403.)

Mr. Lambton 1231

Amendment proposed—

" In page 2, line 31, to leave out all the words from the word ' the ' to the end of sub-section (1) of Clause 4, and insert the words ' method of cropping of arable lands, or the disposal of crops produced upon the holding, a tenant shall have full right to practise any system of cropping of the arable land and to dispose of the produce of his holding without incurring any penalty, forfeiture, or liability contained in any such contract of tenancy or agreement, provided that he shall previously have made, or, as soon as may be, shall make suitable and adequate provision to protect the holding from injury or deterioration, and provided also that he shall return to the holding, as soon as may be, the full manurial value of all crops sold off or removed from the holding.' " (*Mr. Lambton.*)

Question proposed, " That the words proposed to be left out stand part of the Bill."

Sir Edward Strachey 1233

Question put, and negatived.

Question proposed, " That those words be there inserted."

Mr. Austen Chamberlain 1234
The Civil Lord of the Admiralty (*Mr. Lambert, Devonshire, South Molton*) 1235
Colonel Kenyon-Slaney 1235
Sir Frederick Banbury 1236

Nov. 12.] *Page*

Amendment proposed to the proposed Amendment—

"To leave out the words 'as soon as may be.'—(*Sir Frederick Banbury.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

Sir Edward Strachey 1236
Sir A. Acland Hood 236
Mr. Tomkinson 1237
Mr. Walter Long 1237

Amendment to the proposed Amendment, by leave, withdrawn.

Question again proposed, "That those words be there inserted in the Bill."

Mr. Walter Long 1237
Viscount Turnour 1238

Amendment proposed to the proposed Amendment to the Bill—

"In line 9, to leave out the word 'off.'"—(*Viscount Turnour.*)

Question proposed, "That the word 'off' stand part of the proposed Amendment to the Bill."

Mr. Lambert 1238

Amendment to the proposed Amendment, by leave, withdrawn.

Proposed words there inserted in the Bill.

Colonel Kenyon-Slaney 1239

Amendment proposed—

"In page 2, line 37, to insert the words 'notwithstanding anything in this section, the tenant shall leave the unconsumed hay, straw, roots, and manure grown or produced during the last year of the tenancy for the incoming tenant as required by agreement or custom, and shall leave his holding in the rotation of cropping provided by his contract of tenancy, or, in default of such provision, by the custom of the country.'"—(*Colonel Kenyon-Slaney.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Lambert 1239
Mr. Walter Long 1240
Mr. Abel Smith 1240
Colonel Lockwood 1240
Sir A. Acland Hood 1241
Mr. Corrie Grant (*Warwickshire, Rugby*) 1241
Mr. Cochrane 1241
Mr. Lambert 1242
Viscount Helmsley 1242

Question put.

The House divided :—Ayes, 54 ; Noes, 170. (Division List No. 404.)

Mr. Hicks Beach 1245

Amendment proposed to the Bill—

> " In page 2, line 31, after the words last inserted, to insert the words ' and shall supply to the landlord when called upon to do so a full and accurate statement of all crops sold off or removed from the holding, and of all manures applied thereto in respect of such crops.' "—(*Mr. Hicks Beach.*)

Question proposed, " That the words be there inserted in the Bill."

Mr. Lambert 1245
Mr. Lyttelton (St. George's, Hanover Square) 1246
Sir W. Robson 1247
Colonel Lockwood 1247
Colonel Kenyon-Slaney 1248
Mr. Lupton 1248
Viscount Helmsley 1248
Mr. Austen Chamberlain 1249
Mr. Hunt 1250

Question put.

The House divided :—Ayes, 57 ; Noes, 164. (Division List No. 405.)

Mr. Mitchell-Thomson 1251

Amendment proposed—

> " In page 2, line 37, after the last inserted, to insert the words ' proved that before departing from the mode of such cultivation, cropping, of disposal of product prescribed in the contract of tenancy he shall have made written intimation to the landlord of his intention to do so and in what manner, and, if required by the landlord, shall have made adequate provision, to the satisfaction of a single arbitrator, appointed by the Board of Agriculture, to protect the holding from injury or deterioration ; the fee and expenses of such arbitrator to be borne equally by the landlord and the tenant.' "—-*Mr. Mitchell-Thomson.*)

Question proposed, " That those words be there inserted in the Bill."

Mr. Lambert 1253
Viscount Turnour 1254
Colonel Kenyon-Slaney 1254
Mr. Lyttelton 1255
Mr. Cochrane 1255

Amendment to the proposed Amendment—

> " To leave out all the words after ' manner.' "—(*Mr. Cochrane.*)

Agreed to.

Question proposed, "That those words, as amended, be there inserted in the Bill."

Mr. Hunt 1256
Viscount Helmsley 1256
Mr. Wyndham 1257
Sir W. Robson 1257
Mr. Walter Long 1257
Mr. Corrie Grant 1257
Mr. Jesse Collings (*Birmingham, Bordesley*) 1258
Mr. A. J. Balfour 1260

Motion made, and Question proposed, "That the debate be now adjourned." —(*Mr. A. J. Balfour.*)

Sir H. Campbell-Bannerman 1262

Motion, by leave, withdrawn.

Question, "That those words, as amended, be there inserted in the Bill," put, and negatived.

Amendment proposed—

"In page 3, line 8, at the end, to insert the words, '(3) A tenant shall not be entitled to any conpensation in respect of manures as defined by the Agricultural Holdings Act, 1900, which have been used for the purpose of making adequate provision to protect the holding from injury or deterioration in cases where the tenant has so exercised his rights under this section that the holding would have been injured or deteriorated if such manures had not been used.' "—(*Sir Edward Strachey.*)

Question proposed, "That these words be there inserted in the Bill."

Amendment proposed to the proposed Amendment to the Bill, in line 3, after the word "been," to insert the words "applied to the holding in respect of crops sold off or removed there from as required by Section 4, or which have been."—(*Mr Lambton.*)

Question proposed, "That those words be there inserted in the proposed Amendment to the Bill."

Mr. Lambert 1264

Amendment, by leave, withdrawn.

Original Amendment agreed to.

Proposed words there inserted in the Bill.

Motion made, and Question, "That the further consideration of the Bill, as amended, be now adjourned"—(*Mr. Whiteley*)—put, and agreed to.

Bill, as amended (by the Standing Committee) to be further considered this day.

Nov. 12.] *Page*

ADJOURNMENT.—Motion made, and Question, "That this House do now adjourn"—(*Mr. Whiteley*)—put, and agreed to.

Adjourned accordingly at twenty minutes before Ten o'clock a.m.

HOUSE OF COMMONS: TUESDAY, 13TH NOVEMBER, 1906.

The House met at quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Great Northern Railway (Ireland) Bill [LORDS].—Reported, with Amendments. Report to lie upon the Table, and to be printed 1265

PETITIONS.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.—Petition from Fazeley, in favour; to lie upon the Table 1265

TURNER, WILLIAM BARWELL.—Petition of William Barwell Turner, for inquiry into his case; to lie upon the Table 1265

RETURNS, REPORTS, ETC.

RAILWAYS (FOREIGN COUNTRIES AND BRITISH POSSESSIONS).—Return ordered, "showing, so far as the particulars can be obtained, (a) in what Foreign Countries and British Possessions other than those covered by the Return ordered on the 2nd day of July, 1906, the Railways have been in whole or part either built or acquired by the Government; (b) the cost of building or acquisition of such Government Railways, and in the latter case the precise date and terms of purchase; (c) the financial results in each case, showing, *inter alia*, the revenues, working expenses and net loss or profit for the last two years for which figures are available, and what amounts of capital, if any, have been repaid out of revenue."—(*Mr. Chiozza Money.*) 1265

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

SHIPBUILDING PROGRAMME—GREAT BRITAIN, FRANCE AND GERMANY.—Question, Mr. Cowan (Surrey, Guildford); Answer, Mr. Edmund Robertson .. 1266

EXCESS AT SPIRIT STORE STOCKTAKING AT GLEN-GLASSAUGH DISTILLERY, PORTSOY.—Question, Mr. Meehan (Queen's County, Leix); Answer, Mr. Runciman 1267

RETIRING AGE OF CLERKS TO SURVEYORS OF TAXES.—Question, Mr. Sloan (Belfast, S.); Answer, Mr. McKenna 1268

SENTENCES OF FLOGGING.—Question, Mr. Lloyd Morgan (Carmarthenshire); Answer, Mr. Gladstone 1269

ENAMEL WARE UTENSILS IN PRISONS.—Question, Mr. Pickersgill (Bethnal Green, S.W.); Answer, Mr. Gladstone 1271

Nov. 13.] *Page*

WORKING OF THE PIONEER FISHING CRUISER.—Question, Mr. Cathcart Wason (Orkney and Shetland); Answer, Mr. Sinclair 1272

REVISION OF ESTIMATES FOR SCHOOL BUILDINGS IN IRELAND.—Question, Mr. J. P. Farrell (Longford, N.); Answer, Mr. McKenna.. 1273

LONGFORD PETTY SESSIONS CLERKSHIPS.—Question, Mr. J. P. Farrell; Answer, Mr. Bryce 1273

GREENWICH ART PENSIONERS.—Question, Mr. Bramsdon (Portsmouth); Answer, Mr. Edmund Robertson 1274

OPIUM CONSUMED IN THE FEDERATED MALAY STATES AND SINGAPORE.—Question, Mr. A. Allen (Christchurch); Answer, Mr. Churchill 1274

RETIRING ALLOWANCE OF RICHARD BEWSEY, OFFICE OF WORKS. Question, Mr. Alden (Middlesex, Tottenham); Answer, Mr. Harcourt 1275

CHARGE OF BOOKS AT PUBLIC SCHOOLS IN ROSS AND CROMARTY.—Question, Mr. Weir (Ross and Cromarty); Answer, Mr. Sinclair 1275

DESTROYERS LAID DOWN BY GREAT BRITAIN, FRANCE AND GERMANY SINCE 1899.—Question, Viscount Turnour (Sussex, Horsham); Answer, Mr Edmund Robertson 1275

NATURALISATION FEES.—Question, Mr. Stuart Samuel (Tower Hamlets, Whitechapel); Answer, Mr. Gladstone 1276

PETITION OF ASSISTANT CLERKS, STATISTICAL OFFICE, CUSTOM HOUSE.—Question, Mr. Waterlow (Islington, N.); Answer, Mr. Runciman 1276

RETIRED CIVIL SERVANTS AND CANDIDATURE FOR PARLIAMENT.—Question, Mr. W. T. Wilson (Lancashire, Westhoughton); Answer, Mr. Runciman .. 1277

ECCLESIASTICAL COMMISSIONERS ON TENANCY HOLDINGS.—Question, Mr. Wedgwood (Newcastle-under-Lyme); Answer, Mr. Charles Hobhouse .. 1278

PETITION FOR HOLDING ADDITIONAL FAIRS AT BALLINA.—Question, Mr. Fetherstonhaugh (Fermanagh, N.); Answer, Mr. Bryce 1278

BALLYCASTLE–BELLMULLET RAILWAY.—Question, Mr. Fetherstonhaugh; Answer, Mr. Bryce 1279

INVESTIGATION OF COMPLAINTS AGAINST IRISH NATIONAL SCHOOL TEACHERS.—Question, Mr. Patrick O'Brien (Kilkenny); Answer, Mr. Bryce 1279

LORD-LIEUTENANTS.—RESIDENTIAL QUALIFICATIONS.—Question, Mr. Berttam (Hertfordshire, Hitchin); Answer, Mr. Haldane 1280;

QUESTIONS IN THE HOUSE.

GREENWICH AGE PENSIONS.—Question, Mr. Bramsdon (Portsmouth); Answer, The Secretary to the Admiralty (Mr. Edmund Robertson, Dundee) .. 1280

H.M.S. "MONTAGU."—Question, Mr. Hunt (Shropshire, Ludlow); Answer, Mr. Edmund Robertson 1281

Nov. 13.] *Page*

DESTROYERS FOR GERMANY.—Question, Viscount Turnour (Sussex, Horsham); Answer, Mr. Edmund Robertson 1281

GUN CONTRACTS.—Question, Viscount Turnour; Answer, Mr. Edmund Robertson 1281

NAVAL SHIPBUILDING POLICY.—Questions, Viscount Turnour, Mr. Austen Chamberlain (Worcestershire), Mr. Bellairs (Lynn Regis); Answers, Mr. Edmund Robertson 1282

NAVAL MANŒUVRES.—Questions, Sir Howard Vincent (Sheffield, Central), Viscount Turnour; Answers, Mr. Edmund Robertson 1282

THE DISTURBANCE AT PORTSMOUTH BARRACKS.—Questions, Mr. Swift MacNeill (Donegal), Mr. Dalziel (Kirkcaldy); Answers, Mr. Edmund Robertson .. 1283

PRESTON BARRACKS.—Question, Viscount Turnour; Answer, The Secretary of State for War (Mr. Haldane, Haddington) 1284

MALTESE GARRISON.—Question, Mr. Bellairs; Answer, Mr. Haldane 1285

WOOLWICH ARSENAL.—Questions, Mr. Chiozza Money (Paddington), Mr. Crooks (Woolwich); Answer, Mr. Haldane 1285

ST. HELENA.—Questions, Mr. Hicks Beach (Gloucestershire, Tewkesbury), Lord Balcarres (Lancashire, Chorley); Answers, Mr. Haldane 1286

MADURA DISTRICT PEOPLE'S ASSOCIATION PETITION.—Question, Dr. Rutherford (Middlesex, Brentford); Answer, The Under-Secretary of State for India (Mr. John Ellis, Nottinghamshire, Rushcliffe) 1286

REPATRIATION OF CHINESE COOLIES FROM SOUTH AFRICA.—Question, Mr. Duncan Schwann (Cheshire, Hyde); Answer, The Under-Secretary of State for the Colonies (Mr. Churchill, Manchester, N.W.) 1287

THE NEW HEBRIDES CONVENTION.—Questions, Mr. William Redmond (Clare, E.), Mr. R. Duncan (Lanarkshire, Govan), Sir Gilbert Parker (Gravesend); Answers, Mr. Churchill 1287

CONVICTION OF CHINESE COOLIES.—Question, Mr. Duncan Schwann; Answer, Mr. Churchill 1288

THE CONGO.—Question, Mr. Higham (Yorkshire, W.R., Sowerby); Answer, The Secreatry of State for Foreign Affairs (Sir Edward Grey, Northumberland, Berwick) 1288

THE REV. EDGAR STANNARD'S CASE.—Question, Mr. Alden (Middlesex, Tottenham); Answer, Sir Edward Grey 1289

DEAR MONEY.—Question, Mr. Straus (Tower Hamlets, Mile End); Answer, The Chancellor of the Exchequer (Mr. Asquith, Fife, E.) 1290

CASE OF MAX NETTLAU.—Question, Mr. Keir Hardie (Merthyr, Tydvil); Answer, The Secretary of State for the Home Department (Mr. Gladstone, Leeds, E.) 1291

Nov. 13.]

Page

PROSECUTIONS FOR VIVISECTION.—Question, Sir G. Kekewich (Exeter); Answer, Mr. Gladstone 1291

ENFIELD BETTING CONVICTIONS.—Question, Viscount Turnour; Answer, Mr. Gladstone 1292

RAILWAY CARRIAGES—THIRD CLASS SLEEPERS.—Questions, Mr. Morton (Sutherland), Mr. Keir Hardie; Answers, The Secretary to the Board of Trade (Mr. Kearley, Devonport) 1292

CROWN LAND TENANTS.—Question, Mr. Harmood-Banner (Liverpool, Everton); Answer, Sir Edward Srtachey (Somersetshire).. 1293

NEW LOCAL GOVERNMENT BOARD OFFICES.—Question, Mr. T. L. Corbett (Down, N.); Answer, The Secretary to the Local Government Board (Mr. Runciman, Dewsbury) 1293

LIGHTING OF PARLIAMENT BUILDINGS.—Question, Sir Howard Vincent; Answer, Mr. Runciman 1293

NATIONAL GALLERY—PRIVATE TRADERS.—Question, Mr. Chiozza Money; Answer, Mr. Runciman. 1294

THE HOLLESLEY BAY VOTERS.—Questions, Mr. Bridgeman (Shropshire, Oswestry), Mr. T. L. Corbett, Mr. J. Ward (Stoke-on-Trent), Mr. Walter Long (Dublin, S.), Viscount Turnour, Mr. Austen Chamberlain; Answers, The Attorney-General (Sir John Walton, Leeds, S.), The President of the Local Government Board (Mr. John Burns) 1294

SECONDARY SCHOOL GRANT.—Question, Sir G. Kekewick; Answer, The Parliamentary Secretary to the Board of Education (Mr. Lough, Islington, W.).. 1296

WATFORD GRAMMAR SCHOOL.—Question, Sir G. Kekewich; Answer, Mr. Lough 1297

COMPANY SCHOOLS.—Question, Sir G. Kekewich; Answer, Mr. Lough 1298

UNEMPLOYED WORKMEN'S ACT IN SCOTLAND.—Question, Mr. Weir (Ross and Cromarty); Answer, The Secretary for Scotland (Mr. Sinclair, Forfarshire) 1298

SCHOOL WATER SUPPLIES IN THE ISLAND OF LEWIS.—Questions, Mr. Weir, Mr. Morton; Answers, Mr. Sinclair 2 98

MEDICAL RELIEF AT UIG.—Question, Mr. Weir; Answer, Mr. Sinclair 1299

ILLEGAL TRAWLING OFF THE ISLAND OF LEWIS.—Question, Mr. Weir; Answer, Mr. Sinclair 1299

DR. DITTMAR'S REPORT.—Question, Mr. Weir; Answer, Mr. Sinclair 1300

ILLEGAL TRAWLING IN DURNESS BAY.—Questions, Mr. Morton, Mr. Hunt (Shropshire, Ludlow); Answer, Mr. Sinclair 1300

CROWN PROSECUTIONS IN IRELAND—RIGHT OF REPLY.—Question, Mr. Swift MacNeill; Answer, The Attorney-General for Ireland (Mr. Cherry, Liverpool, Exchange) 1301

Nov. 13.] Page

MAGISTRATES FEES IN IRELAND.—Question, Mr. O'Dowd (Sligo, S.); Answer, Mr. Cherry 1301

COLONEL MALONE'S WESTMEATH ESTATE.—Question, Mr. Ginnell (Westmeath, N.); Answer, Mr. Cherry 1302

ARODDY EVICTED TENANT.—Question, Mr. Thomas F. Smyth (Leitrim, S.); Answer, The Chief Secretary for Ireland (Mr. Bryce, Aberdeen, S.) 1302

COOSCROUN LANDING STAGE.—Question, Mr. Boland (Kerry, S.); Answer, Mr. Bryce 1303

SKEAGH ESTATE, COUNTY CAVAN.—Question, Mr. Samuel Young (Cavan, E.); Answer, Mr. Bryce 1303

VALUE OF IRISH AGRICULTURAL PRODUCTS.—Question, Mr. Ginnell; Answer, Mr. Bryce 1304

COLONEL MALONE'S BARONSTOWN ESTATE.—Question, Mr. Ginnell; Answer, Mr. Bryce 1304

UNECONOMIC HOLDINGS IN LEINSTER.—Question, Mr. Ginnell; Answer, Mr. Bryce 1305

MR. PAGET'S HILLTOWN ESTATE.—Question, Mr. Ginnell; Answer, Mr. Bryce .. 1305

SALES OF ESTATES IN OCTOBER.—Question, Mr. Vincent Kennedy (Cavan, W.); Answer, Mr. Bryce 1306

COUNTY FERMANAGH REVISION.—Question, Mr. Vincent Kennedy; Answer, Mr. Bryce 1306

LIMERICK FISHING CONSERVATORS.—Question, Mr. Joyce (Limerick); Answer, Mr. Bryce 1307

ARDAGH ESTATE, COUNTY MAYO.—Question, Mr. O'Dowd (Sligo, S.); Answer, Mr. Bryce 1308

INVESTMENTS WITH THE PUBLIC TRUSTEES.—Question, Mr. O'Dowd; Answer, Mr. Bryce 1308

KERRY POTATO CROP.—Question, Mr. Boland; Answer, Mr. Bryce 1309

VALENTIA ISLAND EVICTED TENANTS.—Question, Mr. Boland; Answer, Mr. Bryce 1309

CAVAN AND LEITRIM LIGHT RAILWAY.—Question, Mr. Thomas Smyth; Answer, Mr. Kearley 1310

LEGISLATION BY REFERENCE.—Question, Mr. Bramsdon; Answer, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling) 1310

BUSINESS OF THE HOUSE.—Questions, Mr. Keir Hardie, Mr. A. J. Balfour (City of London); Answers, Sir H. Campbell-Bannerman 1311

Nov. 13.] Page

Land Tenure Bill.—As amended (by the Standing Committee), further considered.

Mr. Remnant (Finsbury, Holborn) 1312
Mr. Munro Ferguson (Leith Burghs) 1314

Amendment proposed—

"In page 3, line 16, to leave out Clause 5."—(*Mr. Remnant.*)

Question proposed, "That the word 'where' stand part of the Bill."

Sir Edward Strachey (Somersetshire, S.) 1316
Mr. Walter Long (Dublin, S.) 1318
The Solicitor-General (Sir W. Robson, South Shields) 1320
Mr. A. J. Balfour (City of London) 1324
Mr. Acland (Yorkshire, Richmond) 1326
Col. Kenyon-Slaney (Shropshire, Newport) 1330
Viscount Helmsley (Yorks., N.R., Thirsk) 1331
The Solicitor-General for Scotland (Mr. Ure. Linlithgowshire) 1333
Col. Lockwood (Essex, Epping) 1339
Mr. Montagu (Cambridgeshire, Chesterton) 1340
Mr. Hicks Beach (Gloucestershire, Tewkesbury) 1342
Mr. Verney (Buckinghamshire, N.) 1343
Mr. Abel Smith (Herts, Hertford) 1344
Mr. Nicholls (Northamptonshire) 1346
Mr. Wm. Rutherford (Liverpool, West Derby) 1346

Question put.

The House divided :—Ayes, 289 ; Noes, 75. (Division List No. 406).

Colonel Kenyon Slaney 1351

Amendment proposed—

'In page 3, line 16, to leave out from 'Where,' to end of the clause, and insert the words 'it can be shown that an increase of rent is demanded from a sitting tenant as the result of improvements to a holding effected at the cost of such tenant, and for which he has not, directly or indirectly received an equivalent from the landlord, and where such a demand results in the tenant quitting the holding he shall be entitled above and beyond any compensation to which he may otherwise have a right by law or agreement, to further compensation not exceeding in amount ten times the annual increase of rent so demanded.' "—(*Colonel Kenyon-Slaney*).

Question proposed, "That the words 'the landlord' stand part of the Bill."

Sir W. Robson 1353
Mr. A. J. Balfour 1354

Amendment, by leave, withdrawn.

Sir W. Robson 1354

Nov. 13.] *Page*

Amendment proposed—

"To insert in page 3, line 17, after the word 'cause' the words 'and for reasons inconsistent with good estate management.'"—(*Sir W. Robson.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Lane Fox (Yorks, W.R., Barkston Ash) 1355
Sir W. Robson 1355
Mr. Abel Smith 1355
Sir Frederick Banbury (City of London) 1356
Mr. Walter Long 1356
Mr. Courthope (Sussex, Rye) 1358

Question put and agreed to.

Mr. Abel Smith 1359
Mr. Hicks Beach 1359

Amendment proposed to the Bill—

"In page 3, line 17, to leave out the words 'or refuses to grant a renewal of.'"—(*Mr. Abel Smith.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir Frederick Banbury 1359
Sir W. Robson 1360
Mr. Cave 1360
Mr. Walter Long 1360
Mr. Ure 1361
Sir W. Robson 1361
Mr. Abel Smith 1362

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 3, line 18, to leave out from the word 'or,' to the word 'the,' at the end of line 19.'"—(*Sir F. Banbury*).

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir W. Robson 1363

Question put, and negatived.

Words omitted.

Nov. 13.] Page

Amendment proposed—

"In page 3, line 18, to insert the words 'where an increase of rent is demanded from the tenant as the result of improvements which have been effected at the cost of such tenant, and for which he has not either directly or indirectly received an equivalent from the landlord, and such a demand results in the tenant quitting the holding.'"—(*Sir W. Robson.*)

Question, "That those words be there inserted in the Bill," put, and agreed to.

Mr. Walter Long 1364
Sir W. Robson 1364

Amendment moved—

"In page 3, line 20, after the word 'shall' to insert the words 'in addition to the compensation, if any, to which he may be entitled in respect of improvements, and notwithstanding any agreement to the contrary.'"—(*Sir W. Robson.*)

Question, "That those words be there inserted in the Bill," put and agreed to.

Amendment proposed—

"In page 3, line 20, to leave out from the word 'compensation,' to the end of line 25, and to insert the words 'for the loss or expense which a tenant, by reason of his quitting the holding, sustains or incurs upon or in connection with the sale or removal of his goods, implements, produce or stock.'"—(*Sir W. Robson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir Frederick Banbury 1365
Mr. Ure 1366
Sir A. Acland-Hood (Somersetshire, Wellington) 1367
Mr. Winfrey (Norfolk, S.W.) 1368
Sir Robert Ropner (Stockton) 1370
Mr. Hicks Beach 1371
Mr. Lane Fox 1371
Mr. Bertram (Herts, Hitchin) 1372
Mr. Walter Long 1373
Mr. Whitbread (Huntingdonshire,) Huntingdon 1375
Colonel Kenyon-Slaney 1376
Mr. Hunt (Shropshire, Ludlow) 1377
Major Dunne (Walsall) 1378

Motion made and Question proposed, "That the debate be now adjourned."

Sir H. Campbell-Bannerman 1380

Question put, and agreed to.

Debate to be resumed To-morrow.

Whereupon Mr. DEPUTY-SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at twenty minutes before Eleven o'clock.

HOUSE OF LORDS: WEDNESDAY, 14TH NOVEMBER, 1906.

Several Lords took the Oath.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against — of parents of children attending schools in the parishes of Christ Church (Waterloo), and Cowley; of inhabitants of parish of St, Thomas's, St. Helen's, Ryhope, Cowley (Gloucestershire) and Heapey; of Trustees of Church of England Schools in Diocese of Liverpool (49); and Trustee of Ryhope School, in Diocese of Durham; of Church Council of St. Stephen's, Sunderland; read, and ordered to lie on the Table 1381

EDUCATION (ENGLAND AND WALES) BILL.—Petitions for Amendment of; of Ruridecanal Conference of Deanery of Wearmouth; and inhabitants of Diocese of Exeter; read, and ordered to lie on the Table 1381

RETURNS, REPORTS, ETC.

AUSTRALASIA.—Papers relative to the working of taxation of the unimproved value of land in New Zealand, New South Wales, and South Australia .. 1381

STATISTICS.—Statistical Abstract for the several British Colonies, Possessions, and Protectorates in each year from 1891 to 1905. Forty-third Number .. 1381

NATIONAL EDUCATION (IRELAND).—Appendix (Section II.) to the Annual Report of the Commissioners for the year 1905.

Presented (by Command), and ordered to lie on the Table 1381

POLICE ACT, 1890.—Correspondence relative to the refusal of the Secretary of State's certificate under Section 17 (2) of the Act to the River Tyne Police Force, for the year ended 29th September, 1905. Laid before the House (pursuant to Act), and ordered to lie on the Table 1382

THE MARSHALL ISLANDS.

The Earl of Jersey 1382
The Under-Secretary of State for Foreign Affairs (Lord Fitzmaurice) .. 1382

BRITISH SETTLERS IN SOUTH AFRICA.

Lord Lovat 1382

Moved, "That an humble address be presented to His Majesty for Papers relating to land settlement in the Transvaal and Orange River Colony."—(*Lord Lovat.*)

The Duke of Marlborough 1388
The Secretary of State for the Colonies (*The Earl of Elgin*) 1391
Viscount Milner 1394
Lord Courtney 1403
The Marquess of Lansdowne 1408
The Marquess of Ripon 1412

On Question, Motion negatived.

Education (England and Wales) Bill.—House again in Committee (according to Order).

The Earl of ONSLOW in the Chair.]

The Lord Archbishop of Canterbury 1412

On Question, Sub-section, as amended, agreed to.

Lord Stanley of Alderley 1413

Amendment moved—

"In page 7, line 3, after the word 'shall' to insert the words 'be appointed without reference to religious creed or denomination, and shall.'"—(*Lord Stanley of Alderley.*)

The Lord Pesident of the Council (*The Earl of Crewe*) 1414
Lord Balfour of Burleigh 1415
Lord Stanley of Alderley 1416
The Lord Bishop of Hereford 1417
The Earl of Crewe 1419
The Marquess of Londonderry 1419
The Lord Bishop of St. Davids 1419
Lord Avebury 1419
The Earl of Crewe 1420

On Question, "That these words be here inserted," their Lordships divided:—Contents, 10; Not contents, 191.

Lord Hylton 1425
The Lord Bishop of St. Asaph 1425

Amendment moved—

"In sub-section 2, to leave out the words 'as part of his duties as teacher to' and to insert the words 'to give or to abstain from giving."—(*The Lord Bishop of St. Asaph.*)

Lord Stanley of Alderley 1425
The Earl of Crewe 1425

Nov. 14.] *Page*

Amendment, by leave, withdrawn.

Viscount Llandaff 1426

Amendment moved—

“In page 7, line 5, after the word ‘instruction,’ to insert the words ‘but he may give such instruction if he is willing to do so.’”—(*Viscount Llandaff.*)

Lord Stanley of Alderley 1426
The Marquess of Salisbury 1427
The Earl of Crewe 1427

On Question, Amendment agreed to.

Lord Belper 1427

Amendment moved—

“In page 7, line 5, after the word ‘instruction,’ to insert the words ‘if he at the time of his appointment (or in the case of an existing teacher before the first day of January one thousand nine hundred and eight) shall have expressed in writing to the local education authority his conscientious objection to give such religious instruction.’”—(*Lord Belper.*)

Lord Stanley of Alderley 1428
Viscount St. Aldwyn 1429
The Lord Bishop of Birmingham 1429
The Earl of Crewe 1429
The Lord Bishop of St. Davids 1430
Lord Belper 1430

Amendment, by leave, withdrawn.

The Earl of Camperdown 1431

Amendment moved—

“In page 7, line 8, at end to add the words ‘provided that no addition to nor deduction from a teacher's salary shall be made on the ground that he does or does not undertake to give any religious instruction in the school.’”—(*The Earl of Camperdown.*)

Lord Clifford of Chudleigh 1433
The Earl of Crewe 1433
The Earl of Camperdown 1435
Lord Belper 1438
The Marquess of Salisbury 1439
Lord Stanley of Alderley 1440
Viscount Halifax 1442
The Lord Bishop of Southwark 1442
The Lord Bishop of St. Davids 1443
The Earl of Crewe 1444
The Earl of Camperdown 1447

Amendment, by leave, withdrawn.

The Lord Archbishop of Canterbury 1447

Amendment moved—

> "In page 7, line 8, after the word 'worship' to insert the words, 'It shall be the duty of the local education authority to satisfy themselves as to the qualification of any teacher to whom is assigned by them the giving of religious instruction under Section 14 of the Elementary Education Act, 1870."—(*The Lord Archbishop of Canterbury.*)

The Earl of Crewe 1453
The Lord Archbishop of Canterbury 1455
The Marquess of Lansdowne 1456
The Duke of Norfolk 1456

Amendment, by leave, withdrawn.

Amendment moved—

> "In page 7, line 8, after the word 'worship' to insert the words 'Provided that nothing in this Act shall prevent the local education authority from satisfying themselves as to the fitness of any person who is willing to undertake to give religious instruction of the character permitted under Section 14 of the Elementary Education Act, 1870.'" —(*The Earl of Crewe.*)

On Question, Amendment agreed to.

The Earl of Crewe 1456

House resumed, and to be again in Committee To-morrow.

Metropolitan Electric Supply Bill.—Read 3 , and passed. 1457

House adjourned at Eleven o'clock, till To-morrow, at a quarter past Four o'clock.

HOUSE OF COMMONS: WEDNESDAY, 14TH NOVEMBER, 1906.

The House met at a quarter before Three of the o'clock.

RETURNS, REPORTS, ETC.

AUSTRALASIA.—Copy presented, of Papers relative to the Working of Taxation of the unimproved value of land in New Zealand, New South Wales, and South Australia [by Command]; to lie upon the Table 1457

STATISTICAL ABSTRACT (COLONIES).—Copy presented, of Statistical Abstract for the several British Colonies, Possessions, and Protectorates, in each year from 1891 to 1905 [Forty-third Number] [by Command]; to lie upon the Table 1457

POLICE ACT, 1890.—Copy presented, of Correspondence relative to the refusal of the Secretary of State's Certificate under Section 17 (2) of the Act to the River Tyne Police Force for the year ended 29th September, 1905 [by Act]; to lie upon the Table 1457

Nov. 14.] Page

NATIONAL EDUCATION (IRELAND).—Copy presented, of Appendix to the Seventy-second Report of the Commissioners, being for the year 1905. Section II. [by Command]; to lie upon the Table 1457

LIGHTS ON VEHICLES (SCOTLAND) (BY-LAWS).—Return ordered, "Showing the By-laws made by Councils of Counties and Burghs in Scotland as to Lights upon Vehicles, giving particulars as far as possible of the points of difference therein."—(*Mr. Marnham.*) 1458

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

SPECIAL ALLOWANCES TO ASSISTANT CLERKS PERFORMING DUTIES OF SECOND DIVISION CLERKS.—Question, Mr. Alden (Middlesex, Tottenham); Answer, Mr. McKenna 1458

BRITISH CORRESPONDENCE WITH FOREIGN COUNTRIES.—Question, Mr. Henniker Heaton (Canterbury); Answer, Mr. Sydney Buxton 1458

NEXT SITTING AT LONGFORD OF APPEAL COURT OF LAND COMMISSION.—Question, Mr. L. P. Farrell (Longford, N.); Answer, Mr. Bryce 1461

PURCHASE OF ESTATES OF MR. J. M. COYNE AND MR. H. BENGHAM.—Question, Mr. O'Dowd (Sligo, S.); Answer, Mr. Bryce 1461

TELEGRAPH EXTENSION FROM DRING TO AGHNACLIFFE.—Question, Mr. J. P. Farrell; Answer, Mr. Sydney Buxton 1462

VACCINATION EXEMPTION CERTIFICATE—CASE OF MR. WALDEN, OF CATFORD.—Question, Mr. Lupton (Lincolnshire, Sleaford); Answer, Mr. Gladstone .. 1462

WARWICKSHIRE POLICE AND GIPSIES.—Question, Mr. Pickersgill (Bethnal Green); Answer, Mr. Gladstone 1461

BRUSH ELECTRICAL ENGINEERING COMPANY AND THE PAYMENT OF WAGES ACT, 1883.—Question, Mr. T. F. Richards (Wolverhampton, W.); Answer, Mr. Secretary Gladstone 1463

THE MURDER OF MRS. STEVENS OF WADHURST—ADDITIONAL EVIDENCE.—Question, Mr. Courthope (Sussex, Rye); Answer, Mr. Gladstone 1464

BABIES IN PRISONS—ESTABLISHMENT OF CRÊCHES.—Question, Mr. Pickersgill; Answer, Mr. Gladstone 1465

COSTS IN CONNECTION WITH SUMMARY CONVICTION.—Question, Mr. Pickersgill; Answer, Mr. Gladstone 1465

SUMMARY CONVICTIONS—PERIOD OF IMPRISONMENT FOR NON-PAYMENT OF FINES.—Question, Mr. Pickersgill; Answer, Mr. Gladstone 1466

CAVALRY IN SCOTLAND.—Question, Mr. Pirie (Aberdeen, N.); Answer, Mr. Gladstone 1466

NON-COMMISSIONED OFFICERS LIABLE TO DISCHARGE AT SHORT NOTICE AFTER LONG SERVICE.—Question, Mr. Scott (Ashton-under-Lyne); Answer, Mr. Haldane 1467

Nov. 14.] *Page*

Irish Evicted Tenants—Case of Denis Looby.—Question, Mr. Kendal O'Brien (Tipperary, Mid.); Answer, Mr. Bryce 1467

Cost of Extra Police at Meeting at Gortnahoe, County Tipperary.—Question, Mr. Kendal O'Brien; Answer, Mr. Bryce 148

Sale of Lord Southwell's Estate, County Limerick.—Question, Mr. O'Shaughnessy (Limerick, W.); Answer, Mr. Bryce 1469

Withdrawal of Salary from Late Teacher of Teeagh National School. Question, Mr. Murphy (Kerry, E.); Answer, Mr. Bryce 1469

Straits Settlements Currency.—Question, Mr. Hart-Davies (Hackney, N.); Answer, Mr. Churchill 1470

The Knight Commander—Terms of Settlement.—Question, Dr. Shipman (Northampton); Answer, Sir Edward Grey 1470

Loss of British Steamers.—Question, Mr. Havelock Wilson (Middlesbrough); Answer, Mr. Lloyd-George 1471

United States Import Duty on British Works of Art.—Question, Mr. Lonsdale (Armagh, Mid.); Answer, Mr. Lloyd-George 1472

Naval Ships Police.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson 1472

Annual Report of Local Government Board—Expenditure on Poor Law Relief.—Question, Mr. Pike Pease (Darlington); Answer, Mr. John Burns 1473

Allowance to Widow of Late Patrick McKeon, Customs Officer of Cardiff.—Question, Mr. James O'Kelly (Roscommon, N.); Answer, Mr. McKenna 1474

Postal Servants and Political Meetings—Speech by Sir Robert Hunter—Question, Mr. Bertram (Hertfordshire, Hitchin); Answer, Mr. Sydney Buxton 1474

Warwickshire Police and Foreign Gipsies.—Question, Mr. W. Johnson (Warwickshire, Nuneaton); Answer, Mr. Gladstone 1475

Clerks to Surveyors of Taxes and Confidential Income-Tax Returns.—Question, Mr. Fetherstonhaugh (Fermanagh); Answer, Mr. McKenna 1475

The Imperial Institute and the London University.—Question, Mr. Harold Cox (Preston); Answer, Mr. Morley 1476

Remission of Penalties for Overstaying Leave.—Question, Sir Seymour King (Hull, Central); Answer, Mr. Morley 1477

Discharge from the Army of Harold James Carroll.—Question, Mr. Brodie (Surrey, Reigate); Answer, Mr. Haldane 1477

Pay of Army Officers.—Question, Mr. Brodie; Answer, Mr. Haldane 1478

Nov. 14.] *Page*

INCREASED PAY FOR OFFICERS SERVING IN SOUTH AFRICA.—Question, Mr. Brodie ; Answer, Mr. Haldane 1478

SALVING THE "MONTAGU" REFUSAL OF MEN TO WORK AT NIGHT.—Question, Mr. Bowles (Lambeth, Norwood) ; Answer, Mr. Edmund Robertsson .. 1479

TRANSFERS OF SEAMEN AND STOKERS—COST OF NEW CAP RIBBONS.—Question, Mr. Bellairs ; Answer, Mr. Edmund Robertson 1479

RETURN OF FLEETS—FIRST CLASS BATTLESHIPS.—Question, Mr. Bellairs (Lynn Regis) ; Answer, Mr. Edmund Robertson 1430

RELIEF OF AGED WIDOW AT LONGTOWN, CUMBERLAND.—Question, Mr. Jowett (Bradford, W.) ; Answer, Mr. John Burns 1430

THE TRANSVAAL CONSTITUTION—POSITION OF ALIENS.—Question, Mr. Fell (Great Yarmouth) Answer, Sir H. Campbell Bannerman 1481

QUESTIONS IN THE HOUSE.—Questions, Mr. Watt (Glasgow College), Mr. Jenkins (Chatham) , Answer, The Secretary to the Admiralty (Mr. Edmund Robertson, Dundee) 1482

THE NEW HOME FLEET.—Question, Mr. F. E. Smith (Liverpool, Walton) ; Answer, Mr. Edmund Robertson 1482

THE PORTSMOUTH DISTURBANCES.—Questions, Mr. Dalziel (Kirkcaldy Burghs), Mr. Cathcart Wason (Orkney and Shetland) ; Answers, Mr. Edmund Robertson 1483

BRITISH INDIANS IN THE TRANSVAAL.—Questions, Sir H. Cotton (Nottingham, E.), Mr. Byles (Salford, N.) ; Answers, The Under-Secretary of State for the Colonies (Mr. Churchill, Manchester, N.W.) 1484

CHINESE IN SOUTH AFRICA—MR. BUCKNILL'S REPORT.—Questions, Mr. Dalziel, Sir Gilbert Parker (Gravesend), Mr. Lehmann (Leicestershire, Market Harborough), Mr. Walsh (Lancashire, Ince), Mr. Chiozza Money (Paddington, N.), Mr. Mackarness (Berkshire, Newbury), Mr. Swift MacNeill (Donegal, S.), Mr. J. Ward (Stoke-on-Trent), Mr. Lupton, Mr. Pickersgill ; Answers, Mr. Churchill 1485

CENTRAL AFRICAN LABOUR IN THE TRANSVAAL MINES.—Questions, Mr. Harold Cox, Sir Gilbert Parker, Mr. David MacIver (Liverpool, Kirkdale) ; Answers, Mr. Churchill 1488

NUMBER OF CHINESE IN SOUTH AFRICAN MINES.—Question, Mr. Dalziel ; Answer, Mr. Churchill 1489

MANAGEMENT OF RAND MINES—CHINESE COMPLAINTS.—Question, Mr. Pickersgill (Bethnal Green) ; Answer, Mr. Churchill 1489

THE NEW HEBRIDES.—Question, Sir Gilbert Parker ; Answer, Mr. Churchill .. 1491

GAMBLING IN THE MALAY STATES.—Question, Mr. Byles ; Answer, Mr. Churchill 1491

CEYLON COMPANY OF PEARL FISHERS.—Question, Sir T. Jardine (Roxburghshire) ; Answer, Mr. Churchill 1491

Nov. 14.] *Page*

TURKISH CUSTOMS.—Question, Mr. Lynch (Yorkshire); Answer, The Secretary to the Local Government Board (Mr. Runciman, Dewsbury) 1492

MACEDONIA.—Question, Mr. Rees (Montgomery Boroughs); Answer, Mr. Runciman 1492

BOARD OF TRADE TAPEHOLDERS.—Questions, Mr. H. T. Craig (Tynemouth), Mr. Jenkins; Answers, The President of the Board of Trade (Mr. Lloyd-George, Carnarvon Boroughs) 1493

PORT OF BOSTON BY-LAWS.—Question, Mr. Joyce (Limerick); Answer, Mr. Lloyd-George 1493

SCHOOL CHILDREN AND THE UNION JACK.—Question, Sir Howard Vincent (Sheffield, Central); Answer, The President of the Board of Education (Mr. Birrell, Bristol, N.) 1494

RIFLE CLUBS FOR SCHOOLBOYS.—Questions, Sir Howard Vincent, Mr. Swift MacNeill; Answer, Mr. Birrell 1495

FIVE YEAR OLD SCHOOL CHILDREN.—Question, Mr. Ashley (Lancashire, Blackpool), Mr. Harold Cox; Answer, Mr. Birrell 1496

BOARD OF AGRICULTURE INSPECTORS AND THE WELSH LANGUAGE.—Question, Mr. Rees; Answer, Sir Edmund Strachey (Somersetshire, S.) 1497

WEST RIDING JUDGMENT APPEAL.—Question, Mr. Ashley; Answer, The Attorney-General (Sir John Walton, Leeds) 1497

SMALL DEBT COLLECTIONS.—Question, Mr. Byles; Answer, Sir John Walton .. 1497

LOCAL TAXATION ACCOUNTS.—Question, Mr. Flynn (Cork, N.); Answer, Mr. Runciman 1498

AIGUISH CROFTER SETTLEMENT.—Question, Mr. Morton (Sutherland); Answer, (The Secretary for Scotland, Mr. Sinclair, Forfarshire) 1498

BARLINNIE PRISON, GLASGOW.—Question, Mr. Watt; Answer, Mr. Sinclair .. 1499

TRAWLING IN BROAD BAY.—Question, Mr. Morton; Answer, Mr. Sinclair .. 1499

FISHERY PROTECTION ON THE SUTHERLANDSHIRE COAST.—Question, Mr. Morton; Answer, Mr. Sinclair 1499

ARDARROCH PIER.—Question, Mr. Morton; Answer, Mr. Sinclair 1500

FAILURE OF THE ROSS-SHIRE HERRING FISHERY.—Question, Mr. Morton; Answer, Mr. Sinclair 1500

MURRAYS CLOSE STORNOWAY.—Question, Mr. Morton; Answer, Mr. Sinclair .. 1501

STORNOWAY INSPECTOR OF THE POOR.—Question, Mr. Morton; Answer, Mr. Sinclair 1501

LIGHTHOUSE KEEPERS AND ILLEGAL TRAWLING.—Question, Mr. Morton; Answer, Mr. Sinclair 1501

Nov. 14.]

Page

Scottish Law Courts.—Question, Mr. C. E. Price (Edinburgh Central) Answer, Mr. Runciman 1502

Untenanted Land in Westmeath.—Question, Mr. Ginnell (Westmeath, N.); Answer, The Chief Secretary for Ireland (Mr. Bryce, Aberdeen, S.) 1502

Kanturk Cabinet Industry.—Question, Mr. Flynn; Answer, Mr. Bryce .. 1503

Untenanted Lands and Allotments.—Question, Mr. Ginnell; Answer, Mr. Bryce 1504

Provision for Evicted Tenants.—Question, Mr. Ginnell; Answer, Mr. Bryce 1505

Company Owned Estates.—Question, Mr. Ginnell; Answer, Mr. Bryce .. 1505

Royal Irish Constabulary—Promotion for Secret Service.—Question, Mr. Ginnell; Answer, Mr. Bryce 1506

Limerick Conservators Auditors.—Question, Mr. Joyce; Answer, Mr. Bryce 1507

Irish Teachers Grievance.—Question, Mr. Dillon (Mayo, E.); Answer, Mr. Bryce 1507

Coalisland Assault.—Questions, Mr. Mooney (Newry); Mr. T. L. Corbett (Down, N.); Answer, Mr. Bryce 1508

Ussher Evicted Tenant.—Question, Mr. O'Shee (Waterford, W.); Answer, Mr. Bryce 1311

Woodroofe Estate Waterford.—Question, Mr. O'Shee; Answer, Mr. Bryce 1511

Mr. P. J. Kelly, J.P.—Questions, Mr. T. L. Corbett, Mr. Swift MacNeill; Answer, Mr. Bryce 1511

Gortnahoe Evicted Tenant.—Question, Mr. Kendal O'Brien (Tipperary, Mid); Answer, Mr. Bryce 1512

Irish Railway and Canal Administration.—Question, Mr. Vincent Kennedy (Cavan, W.); Answer, Mr. Bryce 1513

Land Commission—Sporting Rights.—Question, Mr. Vincent Kennedy; Answer, Mr. Bryce 1513

Rosgarland Evicted Tenants.—Question, Mr. T. Ffrench (Wexford, S.); Answer, Mr. Bryce 1514

Untenanted Land Return.—Question, Mr. Ginnell; Answer, Mr. Bryce .. 1514

Curteeny Galway Outrage.—Question, Mr. Charles Craig (Antrim, S.); Answer, Mr. Bryce 1514

Ahascragh, Galway, Outrage.—Question, Mr. Charles Craig; Answer, Mr. Bryce 1515

Nov. 14.] *Page*

NEWCASTLE LIMERICK POSTAL ARRANGEMENTS.—Question, Mr. O'Shaughnessy (Limerick, W.); Answer, The Postmaster-General (Mr. Sydney Buxton, Tower Hamlets, Poplar) 1515

PUBLIC ACCOUNTS COMMITTEE.—Question, Mr. Morton; Answer, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 1516

MINISTERIAL SALARIES.—Question, Mr. Morton; Answer, Sir H. Campbell-Bannerman 1516

WOMEN AND THE COUNTY COUNCIL ELECTION.—Question, Mr. Harold Cox; Answer, Sir H. Campbell-Bannerman 1517

CIVIL SERVANTS AND COMPULSORY VACCINATION.—Question, Mr. T. F. Richards (Wolverhampton, W.); Answer, Sir H. Campbell-Bannerman 1517

Women's Enfranchisement Bill.—Question, Mr. Keir-Hardie (Merthyr Tydvil); Answer, Sir H. Campbell-Bannerman 1517

PROCEDURE RULES.—Question, Sir A. Acland-Hood (Somersetshire, Wellington); Answer, Sir H. Campbell-Bannerman 1517

BUSINESS OF THE HOUSE.—Ordered, "That the proceedings on the further consideration of the Land Tenure Bill, as amended, if under consideration at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House)."—(*Sir H. Campbell-Bannerman.*)

Land Tenure Bill.

Order read, for resuming Adjourned Debate on Amendment proposed [13th November] on Consideration of the Bill, as amended (by the Standing Committee).

Which Amendment was—

"In page 3, line 20, to leave out from the word 'compensation,' to the end of line 25, and insert the words 'for the loss or expense which the tenant, by reason of his quitting the holding, sustains or incurs upon or in connection with the sale or removal of his goods, implements, produce, or stock,'—(*Sir W. Robson*)—instead thereof."

Question again proposed, "That the proposed words to be left out stand part of Bill."

Mr. Nussey (Pontefract) 1520
Mr. Cochrane (Aryshire, N.) 1521
Mr. George Faber (York) 1522
Mr. J. Ward (Stoke-on-Trent) 1523
Mr. A. J. Balfour (City of London) 1524
The Solicitor-General for Scotland (Mr. Ure, Linlithgowshire) 1526
Mr. Lyttelton (St. George's, Hanover Square) 1528
Mr. Wallace (Perth) 1529
Sir E. Carson (Dublin University) 1530
The Civil Lord of the Admiralty (Mr. Lambeth, Devonshire, South Molton) 1530

Page

Mr. Hills (Durham) .. 1533
Mr. Beale (Ayrshire, S.) .. 1533
Mr. Walter Long (Dublin, S.) .. 1534

Question—" That the words proposed to be left out stand part of the Bill," put, and negatived.

Question proposed, " That those words be there inserted."

Sir F. Banbury .. 1534
Mr. Laurence Hardy (Kent, Ashford) .. 1536

Amendment proposed to the proposed Amendment—

" In line 1, to leave out the words 'loss or.' "—(*Sir Frederick Banbury.*)

Question proposed, " That the words 'loss or' stand part of the proposed Amendment to the Bill."

Sir Edward Strachey (Somersetshire, E.) .. 1537
Mr. Cochrane .. 1537
Mr. Walter Long .. 1538
Mr. Ure .. 1540
Mr. Courthope (Sussex, Rye) .. 1541
Mr. Lynch (Yorks, W.R., Ripon) .. 1542
Mr. Ellis Davies (Carnarvonshire, Eifion) .. 1544
Mr. Stuart Wortley (Sheffield, Hallam) .. 1545
Mr. Verney (Bucks, N.) .. 1545
Mr. Guest (Cardiff District) .. 1545
Viscount Helmsley (Yorks, N.R., Thirsk) .. 1546

Question put.

The House divided :—Ayes, 353 ; Noes, 83. (Division List, No. 407.)

Mr. Cochrane .. 1551

Amendment proposed to the proposed Amendment—

" In line 2, to leave out the words 'sustains or.' "—(*Mr. Cochrane.*)

Question proposed, " That the words 'sustains or' stand part of the proposed Amendment to the Bill."

Sir Edward Strachey .. 1553
Mr. A. J. Balfour .. 1553
Mr. Ure .. 1553

Amendment to the proposed Amendment, by leave, withdrawn.

Mr. Everett (Suffolk, Woodbridge) .. 1554
Mr. Leif Jones (Westmoreland, Appleby) .. 1554

Amendment proposed to the proposed Amendment—

"In line 2, to leave out all the words after the word 'incurs.'"—(*Mr. Everett.*)

Question proposed, "That the words 'Upon or in connection with the' stand part of the proposed Amendment to the Bill."

Mr. Ure 1556

Amendment to the proposed Amendment, by leave, withdrawn.

Mr. Cochrane 1556

Amendment proposed to the proposed Amendment to the Bill—
"In line 2, to leave out the words 'sale or.'"—(*Mr. Cochrane.*)

Question proposed, "That the words 'sale or' stand part of the proposed Amendment to the Bill."

Mr. Abel Smith (Herts, Hertford) 1557
Lord R. Cecil (Marylebone, E.) 1557
Mr. Cave (Surrey, Kingston) 1558
Mr. Corrie Grant (Warwickshire, Rugby) 1558
Mr. Walter Long 1559
Sir W. Robson 1559
Mr. Carlile 1561
Mr. Lupton (Lincolnshire, Sleaford) 1561
Mr. A. J. Balfour 1562

Amendment to the proposed Amendment, by leave, withdrawn.

Question, "That those words be there inserted in the Bill," put, and agreed to.

Mr. Gardner (Berkshire, Wokingham) 1562

Amendment proposed to the Bill—

"In page 3, line 25, after the word 'holding,' to insert the words, 'Provided that where the landlord shall give to the tenant two years notice to quit he shall be deemed to have acted with good and sufficient cause and consistently with good estate management within the meaning of this section.'"—(*Mr. Gardner.*)

Question proposed, "That those words be there inserted in the Bill."

Question put, and negatived.

Mr. Abel Smith 1563

Amendment proposed to the Bill—

"After the words last inserted to insert the words, 'Provided that the further compensation awarded under this section does not exceed the scale following (that is to say)—Where the assessment of the holding to property tax under Schedule A does not exceed ten pounds

a year, an amount equal to one hundred per centum of such assessment; where such assessment exceeds ten pounds, but does not exceed twenty-five pounds, eighty per centum of such assessment; where such assessment exceeds twenty-five pounds, but does not exceed fifty pounds, sixty per centum of such assessment; where such assessment exceeds fifty pounds, fifty per centum of such assessment; but in no case shall such compensation exceed the sum of two hundred and fifty pounds.' "—(*Mr. Abel Smith.*)

Question proposed, " That those words be there inserted in the Bill."

Sir Edward Strachey 1564
Colonel Kenyon-Slaney 1565
Mr. Lambert 1565
Mr. Wyndham (Dover) 1565
Mr. Leif Jones 1566
Mr. Guest 1566

Amendment, by leave, withdrawn.

Sir Frederick Banbury 1566
Mr. Micklem (Herts, Watford) 1567

Amendment proposed to the Bill—

" In page 3, line 31, to leave out the words ' arbitration as hereinbefore provided ' and insert the words ' a County Court.' "—(*Sir Frederick Banbury.*)

Question proposed, " That the word ' arbitration ' stand part of the Bill."

Sir W. Robson 1568
Sir E. Carson 1569
Mr. Corrie Grant 1571
Mr. Dunn (Cornwall, Camborne) 1573
Mr. Lupton 1574

Amendment negatived.

Amendment proposed to the Bill—

" In page 3, line 31, to leave out the words ' as hereinbefore provided.' "—(*Mr. Lambert.*)

Amendment agreed to.

Mr. Bertram (Hertfordshire, Hitchin) 1574

Amendment proposed to the Bill—

" In page 3, line 1, at the end, to insert the words, ' Any compensation paid under this section by the landlord, being a tenant for life or other limited owner of settled land, may be repaid to him by the trustees of the settlement out of capital monies in their hands.' "—(*Mr. Bertram.*)

Nov. 14.] *Page*

Question proposed, "That those words be there inserted in the Bill."

Mr. Ure 1575
Sir E. Carson 1575

Amendment, by leave, withdrawn.

Sir Frederick Banbury 1576

Amendment proposed to the Bill—

"In page 3, line 32, to leave out Clause 6."—(*Sir Frederick Banbury.*)

Question proposed, "That the words of lines 32 and 33 stand part of the Bill."

Mr. Ure 1576
Colonel Kenyon-Slaney 1577
Mr. Rowlands (Kent, Dartford) 1577
Mr. Laurence Hardy 1577
Sir E. Carson 1578

Question, "That lines 32 and 33 stand part of the clause"—put, and negatived.

Amendment proposed to the Bill—

"In page 3, line 35, to leave out from '1895,' to the end of the clause, and insert the words 'and Section 4 of the Market Gardeners' Compensation (Scotland) Act, 1897, shall apply to improvements executed either before or after the dates of the commencement of those Acts respectively if executed after the holding commenced to be in use or cultivation as a market garden with the knowledge of the landlord.' "—(*Sir Edward Strachey.*)

Question proposed, "That the words proposed to be left out to the word 'at' in line 38, stand part of the Clause."

Sir E. Carson 1578

Question put, and negatived.

Proposed words there inserted in the Bill.

Subsequent words of Clause 6 left out of the Bill.

Mr. Lane-Fox (Yorkshire, W.R., Barkston Ash) 1579
Mr. Hicks Beach (Gloucestershire, Tewkesbury) 1580

Amendment proposed to the Bill—

"In page 4, line 4, to leave out Clause 7."—(*Mr. Lane-Fox.*)

Question proposed, " 'The following improvements shall be' stand part of the Bill."

Sir Edward Strachey 1582
Mr. Walter Long 1584
Mr. Laurence Hardy 1584

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 4, line 4, to leave out 'two' and insert 'three'"—(*Sir Edward Strachey.*)

Amendment agreed to

Sir Edward Strachey 1585

Amendment proposed to the Bill—

"In page 4, to leave out lines 6 to 10, inclusive, and insert the words 'Repairs to buildings, being buildings necessary for the proper cultivation or working of the holding, other than repairs which the tenant is himself under an obligation to execute'"—(*Sir Edward Strachey.*)

Question, "That the words proposed to be left out stand part of the Bill," put, and negatived

Question proposed, "That those words be there inserted in the Bill."

Mr. Abel Smith 1585
Mr. J. Ward 1586

Amendment proposed to the proposed Amendment—

"To leave out all the words after the word 'than' and add) the words 'making good reasonable wear and tear'"—(*Mr. J. Ward.*

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment to the Bill."

Sir Edward Strachey 1586

Question, "That the words proposed to be left out stand part of the proposed Amendment to the Bill," put, and agreed to.

Proposed words inserted in the Bill.

Sir A. Acland Hood (*Somersetshire, Wellington*) 1587
Colonel Gardner (*Herts., Ross*) 1587
Mr. Edmund Lamb (*Leominster*) 1587

Amendment proposed to the Bill—

"In page 4, line 10, after the words last inserted, to insert the words, 'erections of hop kilns or other necessary buildings for the drying or curing of hops, and all wire work or other permanent erection for the training of growing hops.'"—(*Colonel Gardner*).

Question proposed, "That those words be there inserted in the Bill."

Sir Edward Strachey 1588

Question put, and negatived.

Amendment proposed—

"In page 4, to leave out line 11."—(*Mr. Abel Smith*).

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir Edward Strachey 1588
Mr. Edmund Lamb 1588

Question put.

The House divided :—Ayes, 53 ; Noes, 321 (Division List No. 408.)

Amendment proposed to the Bill—

"In page 4, to leave out line 21."—(*Mr. Abel Smith*).

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir Edward Strachey 1593
Mr. Morton (Sutherland) 1593
Mr. J. Rowlands 1593
Mr. Winfrey (Norfolk, S.W.) 1594
Mr. Starkey (Notts, Newark) 1594
Mr. Corrie Grant 1595

Question put.

The House divided :—Ayes, 151 ; Noes, 31. (Division List No. 409.)

Amendment proposed to the Bill—

"In page 4, to leave out lines 13 and 14."—(*Mr. Abel Smith.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Morton 1599
Sir Edward Strachey 1599
Mr. Corrie Grant 1600
Mr. Rowlands 1601
Mr. Richardson (Nottingham, S.) 1602
Mr. Haldane 1602
Mr. Lupton 1603
Mr. Byles (Salford, N.) 1604
Sir W. Robson 1604
Mr. J. Ward 1605
Mr. Winfrey 1605

Nov. 14.] Page

Mr. Dalziel (Kirkcaldy Burghs) 1605
The Chancellor of the Exchequer (Mr. Asquith, Fifeshire, E.) 1606
Mr. Arthur Henderson (Durham, Barnard Castle) 1606
Mr. Leif Jones 1607
Mr. Harwood (Bolton) 1608

Question put.

The House divided :—Ayes, 106 ; Noes, 249. (Division List No. 410.)

Amendment proposed to the Bill—

> " In page 4, line 14, to insert the words ' provided the tenant before beginning to execute any such repairs will give notice in writing to the landlord, and will not execute such repairs until a reasonable time after the landlord has received such notice.' "—(*Sir Edward Strachey.*)

Question proposed, " That those words be there inserted."

Question put, and agreed to.

Mr. Lynch 1612

Amendment proposed to the Bill—

> " In page 4, after the words last inserted to insert the words ' (3) Continuous good farming in excess of the standard of good husbandry which the tenant is bound to maintain and which has added to the value of the holding.' "—(*Mr. Lynch.*)

Question proposed, " That those words be there inserted in the Bill."

Mr. Haldane 1613
Mr. Corrie Grant 1614

Question put, and negatived.

Sir Edward Strachey 1615
Mr. Munro Ferguson (Leith Burghs) 1616

Amendment proposed—

> " In page 4, line 33, to leave out from the word ' 1900 ' to the end of Clause 11.

Question proposed, " That the words proposed to be left out stand part of the clause."

The Secretary for Scotland (Mr. Sinclair, Forfarshire) 1617
Mr. Morton 1618

Amendment, by leave, withdrawn.

Nov. 14.] *Page*

Amendment—

"In Schedule, page 5, to leave out lines 8 and 9."—(*Sir Edward Strachey.*)

Bill to be read the Third time this day, and to be printed. [Bill 353].

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at three minutes before One o'clock.

END OF TABLE OF CONTENTS TO VOLUME CLXIV.

VOLUME CLXIV.

ERRATA.

November 5th, 1906. SIR JOHN WALTON'S Speeches

In Col. 150, line 18, *for* "companies" *read* "company."

In Col. 150, lines 18 and 19, *omit* "in the East End."

In Col. 150, line 45, *for* "Mogul case" *read* "cases of Lumley and Gye."

In Col. 150, line 50, *for* "common" *read* "general."

In Col. 150, lines 58, 59, *for* "in so far as it might arise" *read* "save in so far as it might be involved.

In Col. 151, line 5, *for* "the" *read* "an"; *for* "and it must be" *read* "which meant."

In Col. 162, lines 47-49, *should read* "aware that the law created by those two provisions had been finally and authoritatively declared by the House of Lords."

In Col. 163, lines 7, 8, 9, *should read* "........... this immunity was regarded as possessing legislative authority ...."

In Col. 163, line 12, *after* "biographies" *insert* "which were not admissible in a Court of Law as a key to the intentions of Parliament, but which were relevant and important in the discussion in that House of the policy of a statute."

In Col. 163, lines 31 and 32, *omit* "as an historian and."

In Col. 63, lines 42-58, *should read* "Parliament did wish to deal out exceptional treatment to trade unions in the past. He wished to make it clear that the ground on which the proposals of the Bill were defended by the great majority of the House was well-founded. That ground, etc."

In Col. 175, lines 22-26, *should read* "One was an action against the union *eo nomine*, and the other was a representative action against certain members who were sued on behalf of themselves and the body."

In Col. 176, lines 1 and 2, *for* "not necessary because" *read* "inserted because it was thought."

Nov. 14.] *Page*

In Col. 179, lines 14-16, *omit* "He agreed .... in Committee."

In Col. 179, line 23, *for* "proviso" *read* 'provided."

In Col. 180, line 4, *after* "in" *insert* "than the speech just delivered."

In Col. 192, line 1, *for* "not merely" *read* "as well."

In Col. 192, line 3, *for* "but actions" *read* "as."

In Col. 192, line 8, *for* "an injunction" *read* "damages."

In Col. 192, line 9, *for* "damages" *read* "an injunction."

In Col. 192, lines 20 and 21, *for* "tort were committed" *read* "injunctions were broken."

In Col. 192, line 37, *for* "contemplating" *read* "in course of committing."

In Col. 192, lines 39 and 40, *for* "committing the act" *read* "continuing its commission."

In Col. 192, line 42, *omit* "criminal."

In Col. 192, line 59, *after* "impossible" *insert* "as it could easily be checked by the Court"; *omit* "and there............retired" (line 8, col. 193).

In Col. 193, line 20, *for* "the Taff Vale decision" *read* "the ante-Taff Vale position."

In Col. 21 *omit* "He...........was now" (in line 30).

November 6th, 1906. Mr. Winfrey's Speech.

In Col. 383, line 29, *for* "600" *read* "1600."

THE

PARLIAMENTARY DEBATES

(*AUTHORISED EDITION*)

IN THE

FIRST SESSION OF THE *TWENTY-EIGHTH PARLIAMENT* OF THE UNITED
KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET
THE THIRTEENTH DAY OF FEBRUARY IN THE SIXTH YEAR OF THE
REIGN OF

HIS MAJESTY KING EDWARD VII.

THIRTEENTH VOLUME OF SESSION 1906.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Monday, 5th November, 1906.

The Earl of ONSLOW sat Speaker.

Several Lords took the Oath.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against—of inhabitants of the towns or parishes of Brandesburton ; Frogmore (St. Albans) ; Hempton ; St. Michaels-on-Wyre ; Little Rissington ; Aldborough ; Wyfordley ; Oldham ; Ardwick, near Manchester (St. Thomas) ; Martin-cum-Gregory ; Appleton ; Timsbury ; Perranzabuloe ; Sturry ; Thurgarton ; Hoveringham ; Newton Heath, Manchester (All Saints) ; Fulham (All Saints) ; Deptford (St. Paul) ; Bolton (St. John's) ; Aberford ; Littlebourne, near Dover ; Babbacombe ; Letterston ; Sherborne ; Llanvaches ; Llandegley ; Whilton ; Luddenden ; Llanichangel ; Thornby ; Seaton Gorton ; Loughton ; Manchester ; Egginton ; Gray's Inn Road (St. Jude's) ; Crumdale ; Monkwearmouth (Venerable Bede) ; Belton ; Barrow-on-Soar ; St. Mark's (Leicester) ; St. Saviour's (Leicester) ; Newfoundport (St. Augustine's) ; Netherbroughton ; Barkstone and Plungar ; Evington ; Lockington and Hemmington , Sunderland (St. John's) , Osmotherley (2) ; Tixover ; Turnditch ; Farthingstone ; Turley ; Loxbeare ; Cerney ; Foston ; Rushden ; Mears-Ashby ; Markfield ; Frisley-on-the-Wreak ; Swithland ; Kirby-Muxloe ; Glenfield ; Countesthorpe ; Blaby ; Market Harborough ; Great Bowden ; Milton ; Foxton ; Stoncon Wyville ; Weldon ; Floore ; Weston-by-Welland ; Welham ; Sutton Bassett Shepshed ; and Worfield. Of teachers in schools in the deaneries of Guthlaxton (2) ; Flamland I. ; Framland II. ; and South Akeley (Peterborough). Of parents or guardians of children attending schools at Lutterworth ; Thrussington ;

Cranse; Bottesford; Awre; Lowesby; Twycross; Orton-on-Hill; Weston-by-Welland; Aldwincle; Floore; Weldon; and Market Harborough. Of trustees of Church of England schools in the dioceses of Peterborough (3); and Salisbury. Of the National Protestant League, Hyde Branch (Chester); and of Church workers in the county of Leicester.

Read, and ordered to lie on the Table.

COUNTY COUNCILS.

Petition in favour of legislation to enable women to serve on county councils; of the London County Council; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

COLONIES (COLONIAL IMPORT DUTIES, 1906).

Return relating to the rates of import duties levied upon the principal and other articles imported into the British Colonies, Possessions, and Protectorates.

GAS AND WATER ORDERS.

Report by the Board of Trade of their proceedings under the Gas and Waterworks Facilities Act, 1870, during the session of 1906.

IRISH LAND COMMISSION.

Return of advances under the Irish Land Act, 1903, during the period from 1st November, 1903 to 1st December, 1905. Vol. I., Part IV.

TRADE REPORTS, ANNUAL SERIES.

No. 3727. France (Trade of St. Pierre and Miquelon for 1905). No. 3728. Persia (Trade of the provinces of Sistan and Kain for the year ended 20th February, 1906).

FRANCE, NO. 1. (1906).

Convention between the United Kingdom and France, confirming the Protocol signed at London on 27th February, 1906, respecting the New Hebrides.

Presented (by Command) and ordered to lie on the Table.

SUPERANNUATION.

Treasury minute, dated 31st October, 1906, declaring that Henry Ray, boy, Royal Laboratory, War Department, was appointed without a Civil Service certificate through inadvertence on the part of the head of his department. Laid before the House (pursuant to Act), and ordered to lie on the Table.

A QUESTION OF PRIVILEGE.

THE LORD PRIVY SEAL (The Marquess of RIPON): My Lords, in rising to move the Motion of which I have given notice—namely—

> "That notice having been taken that the following Lords, viz., the Lord Manners, the Lord Clements (E. Leitrim), the Lord Grimthorpe, and the Lord Armstrong, voted in certain divisions during the present session without having previously taken the Oath, the entries in the Journals be amended by striking out the names of the said Lords from the lists of divisions in which they voted before taking the Oath,"

I desire to say, with respect to something which fell from the noble and learned Earl opposite on Thursday night,† that I requested the Clerks at the Table to make a further and more complete examination of the Journals and other sources of information, and that I find there is no case of a Bill of Indemnity having been passed or proposed in this House since the decision in the Bradlaugh case. That I think, we may take as clear. At the same time I say frankly to your Lordships that I do not know that there is any case of a Peer having sat without taking the Oath during that period; so that all that is established is that there has been no instance of a Bill of Indemnity. There was a case two years ago which had some bearing on this one, and which the noble and learned Earl knows very well—the case of Lord Henniker; but that case was not exactly on all fours with this one and consequently I do not know whether at this moment it is necessary that I should refer to it in detail. I beg to move the Motion standing in my name.

Moved, "That notice having been taken that the following Lords, viz., the Lord Manners, the Lord Clements (E. Leitrim), the Lord Grimthorpe, and the Lord Armstrong voted in certain divisions during the present session without having previously taken the Oath, the entries in the Journals be amended by striking out the names of the said Lords from the lists of divisions in which they voted before taking the Oath."—(*The Marquess of Ripon.*)

---

† See (4) *Debates,* clxiii., 1293.

THE EARL OF HALSBURY: My Lords, I confess I am a little embarrassed by the situation at which we have arrived. It is quite possible that what the noble Marquess says is true, that no Bill of Indemnity has been actually passed, but that such Bills have been proposed there is no doubt whatever, as I myself brought them in. I daresay the Clerk, in looking into the matter, has only looked at those Bills which were passed into Acts, and I think he is very likely right. It is possible that in the discussions which arose upon them it was pointed out that the Attorney-General was the only person who could prosecute, and therefore the Bills were laid aside and no action taken.

I regret to have to say that I do not think the course proposed by the noble Marquess is altogether satisfactory. Everybody would, I think, agree that a careless or inadvertent act should not be visited by a penalty of £500. But in this case it appears to me to be a more serious matter, as I am informed that one of the noble Lords in question was warned that he had not taken the Oath, and, in spite of that warning, voted. Furthermore, I cannot help thinking that it is a somewhat strong thing to avail one's self of the right of the Attorney-General only to prosecute, and not to enforce the law. It becomes rather a serious thing if, although Members of the House of Lords, and of the House of Commons, too, for that matter, are under an obligation to take the Oath, it should be taken as a matter of course that if they do not do so the Attorney-General will not be allowed to prosecute. My own impression upon that matter is that the Attorney-General is entirely independent of the Government, and that if he thought fit to prosecute he could do so in the exercise of his judicial office; and as he is exercising a judicial office I think he would require to be satisfied that the act was done inadvertently.

I observe that the Motion of the noble Marquess is that notice having been taken that these noble Lords voted without having previously taken the Oath, the entries in the Journals be amended by striking out the names of the said Lords from the division lists. I do not know what authority there is for striking out the names of the noble Lords. The votes have been recorded, and, whatever may be the consequences, you cannot strike them out. If proceedings were taken for recovery of the penalty it would be said that as the votes were struck out no harm had been done. I think it would be a serious matter if such a precedent were set by the passing of the Motion now before the House.

THE EARL OF CAMPERDOWN: My Lords, I wish to call your Lordships' attention to the terms of this Resolution and to its effect. The noble Marquess moves that, notice having been taken that several Lords voted in certain divisions during the present session without having previously taken the Oath, the entries in the Journals be amended by striking out the names of the said Lords from the lists of divisions in which they voted before taking the Oath. I should like to ask what authority there is for such a proceeding. The Act says nothing about striking out a vote; the Act does not even say that a peer is not to vote. When a peer has once taken his seat and proved his right to sit, he is summoned at the beginning of every Parliament, and the statute provides that he is to take the Oath, and if he sits or votes without having taken the Oath in the manner prescribed by the Standing Orders of the House, he is then made liable to a penalty of £500. The statute does not say he is not to vote, but that if he does vote, it will be, or may be, an expensive proceeding to him. In my opinion, therefore, there is no authority for the proposal to strike out the votes.

I do not know what is the object of this Motion. If it is merely for the sake of the Journals of the House, then I say that, so far as I can see, we should be making the Journals not correct, because these noble Lords did vote, and the fact that you strike out their votes does not do away with the fact that they did vote. Moreover, let me point out what might be the effect of a procedure of this kind. Suppose, for instance, there had been a tie, the division ending with votes equal, or supposing it had ended with a majority of one either way, the result of expunging votes in such a case might be to alter the decision of your Lordships' House. I should like to know whether there is any precedent for this House taking upon itself such a course. Possibly the House if it chooses to take a supreme view of its own rights, has the power to strike out from its journals votes given in this way; but do not let it be supposed that if your Lordships do take that course you are thereby purging the offence which these noble Lords have committed. The offence was against the statute, and no Resolution of your Lordships' House is of any avail against a statute.

This Resolution, so far as I can judge, is a sort of indefinite whitewashing of the offence. The inference one would naturally draw would be that this is a small offence to which no attention need be paid. I think that in a matter of this importance it is very undesirable that your Lordships should adopt indefinite Motions of this kind, and I must say that the noble Marquess the Leader of the House is, in my opinion, making a sort of indirect invitation to noble Lords not to trouble about taking the Oath. For he says, "It is a matter of small importance. If you vote we will expunge your votes from the Journals; and as to the £500 you need not be afraid; no Attorney-General is going to prosecute." I do not know about the present Attorney General. I have known him change his mind about things; but, even supposing he does not change his mind in this matter, what guarantee is there that the next Attorney-General will not proceed to prosecute? Lord Grimthorpe and the other noble Lords have committed this sin, and they will remain liable for the penalty for the rest of their natural lives. Suppose that under the next Government some other Peer votes without having previously taken the Oath and the Attorney-General proceeds to prosecute him. He will naturally say, "This is very unfair. Four other noble Lords did the same thing, but the Attorney-General of that day paid no attention to the matter. Why should you be so ill-natured as to prosecute me?" The Attorney-General might then retort that he would not only prosecute that noble Lord, but the other four besides.

Speaking more seriously of the matter, I submit to the House that it is very undesirable to overlook breaches of order of this kind. Of course, none of us want to inflict this penalty of £500; but I do do not think we ought to imagine for one moment that by simply adopting a Resolution of this sort—and I question whether it is altogether in our power; it may be, but it is very unusual and I believe quite unprecedented—we are in any way purging the offence which these noble Lords have committed. My noble and learned friend Lord Halsbury has stated that one of the noble Lords was warned that he was acting illegally. If that is so, it makes the offence more serious. At any rate, I hope your Lordships will not pass this Resolution and adopt a course for which we have not yet heard any precedent. The natural course is to pass an Act of Indemnity. Such a Bill would pass through this House without trouble, and there would be no difficulty in securing its passage through the other House, as the chief offender sits on the Ministerial benches. But, in any case, I submit to your Lordships that the right course is not to pass this Resolution. The Government should bring in a Bill of Indemnity.

Lord CLIFFORD of CHUDLEIGH: I should like to ask the noble Marquess the Leader of the House whether there is any precedent for striking out names in the way proposed. The Act of Parliament makes a distinction between Members of the two Houses, and in the Lower House a Member vacates his seat if he votes without taking the Oath. Unless I am informed to the contrary, I submit that the vote having been given was legally given, and ought to stand upon the records of the House.

LORD GRIMTHORPE: My Lords, I am reluctant to intrude myself again upon the House, but, in view of remarks that have been somewhat pointedly aimed at me, I think your Lordships are entitled to demand some explanation. I can only repeat what I said when the matter was first raised on Thursday, that when I voted I voted in ignorance. I refuse to modify or withdraw any part of that statement, and am prepared to sign any declaration that is put before me to that effect.

What occurred, my Lords, was this· After the House adjourned, and before we went to dinner, I was washing my hands, when someone came up to me and said, "Have you taken the Oath?" I replied "Of course, I took the Oath when I took my seat." Somebody else said, "I told you so," and then there was a certain amount of desultory and rapid conversation, which only left the impression on my mind that somebody was trying to amuse himself at my expense. In the light of subsequent events I see plainly enough that what was said to me was intended as a friendly warning, but I took it at the time as a joke. In vulgar parlance, I believed that some noble Lord was "pulling my leg." Five minutes afterwards I met the noble Marquess the Lord Privy Seal, and had I thought there was anything in what I had heard I should, of course, have told him what had happened and asked my noble Leader what I ought to do. But information conveyed at such a time, in such a place, and in such a way was not calculated to leave a very deep impression on my mind; as a matter of fact, it left no impression at all.

I thought no more about it until I was handing up an Amendment to the Clerk at the Table, who called my attention to the fact that I had violated the rules. I knew, at all events, that the Clerk was not joking. I could not leave the House at once, because the doors were locked, but immediately after the Division I withdrew my Amendment from the Paper and left the House. Nothing could have been more simple and easy than to have taken the Oath when I came down to the House, and there could have been no conceivable motive for my refraining from doing so had I considered it obligatory upon me. Therefore I can only again assure your Lordships that what I did was done in ignorance. I have already apologised for having inadvertently committed this breach of the rules, and I can only apologise again.

LORD ASHBOURNE: My Lords, I am sure no one desires any noble Lord who acted carelessly or incautiously to sustain any pecuniary loss in consequence, but there must be a strong desire also that we should not ourselves proceed carelessly and incautiously in passing a Resolution of this kind. I at first thought, when I saw the proposal of the noble Marquess the Leader of the House on the Paper, that his Motion would be a convenient way in which to mark our disapproval of what had been done, but I now feel that the matter requires more consideration.

Let us suppose that the matter had not been discovered for some time and that a Bill had become an Act of Parliament by means of votes given without legal warrant. Surely it would then be too late to move that the votes should be expunged. That would show that votes once given, although they might expose those who had acted ignorantly to pecuniary penalties, are there, and I think it would be the wisest course to defer this Motion until the matter has been further considered. The proposal of the noble Marquess does not absolve the Attorney-General from giving the matter judicial consideration. I am not for a moment suggesting that he should take any steps against the noble Lords in question, but I would point out that there is nothing in the passing of this Resolution which would in the slightest degree stop the Attorney-General, if the matter were brought to his notice, from considering it and exercising a judgment upon it. This is an age of Committees, and while I do not suggest that there should be a Committee appointed to consider this matter, I am not at all sure that the wisest course would not be to defer the Motion until the matter has been further discussed.

LORD BRAYE: My Lords, I should like to mention that I can remember a similar discussion arising in your Lordships' House twenty years ago. Lord Plunkett and Lord Byron had voted under similar circumstances, and a Bill of Indemnity was passed through both Houses of Parliament. I think that fact must have escaped the attention of the noble Marquess.

THE MARQUESS OF RIPON: It is quite evident that the question is one that has attracted a great deal of attention among Members of your Lordships' House, and that very weighty opinions have been expressed differing to a certain extent from those which I have been led to form. In these circumstances I think it very proper that the subject should be further considered. I confess I should have suggested the appointment of a small Committee to consider it. My noble and learned friend opposite says there are plenty of Committees, but still this is a matter of great importance, and I should have thought that those who have most authority in this House on questions of this kind might with advantage consider it carefully and report to the House the view which they take on the subject. I am quite prepared to postpone or withdraw the Motion for the present, but I think the subject ought to be further considered, and considered, as I have suggested, by a small Committee.

I do not wish to detain your Lordships, but I desire, if you will allow me, to make some allusion to the case of Lord Henniker. That case was a very curious one. The noble Lord took the Oath upon a writ issued to his father and not to him. What was the course taken? The noble and learned Earl opposite, Lord Halsbury, took the matter up and proposed certain Resolutions to the House. I do not understand that Lord Henniker voted, but among the Resolutions which the noble and learned Earl moved on that occasion was this one—

> "That the entry of the name of Lord Hartismere (the name by which Lord Henniker sits in this House) among the Lords present on Thursday last be vacated."

That is the same as part of my Resolution. The only difference is that this Resolution deals with votes, but it also deals with entries in the Journals of the House. I have a copy of the Journals of the House in my hand, and Lord Hartismere's name is there struck out as having been present. I do not say that this is a complete precedent for the course I am proposing, but it is a precedent. It is not worth while, however, discussing the matter further. I submit to your Lordships that it is better to have the thing considered by a Select Committee. I am prepared to withdraw my Motion now, but, as at present advised, I will move at a later date that the matter be considered by a Committee of your Lordships' House.

THE EARL OF HALSBURY: I only want to put the noble Marquess right on one matter. The noble Lord to whom he referred not only took his seat but took the Oath. There was no infraction of the law at all. The difficulty was this, that he took his seat in pursuance to a writ of summons which had not been issued to him. He therefore took his seat as any stranger might have taken his seat, and in these circumstances it was right that his name should be erased. No writ from the Crown had ever been issued to him. He believed he was entitled to vote under his father's writ of summons. He was not, and therefore the erasure of his name was perfectly right, because he had not sat in the House in the technical sense.

*THE MARQUESS OF LANSDOWNE: My Lords, I only rise to say that we are quite ready to accept the suggestion of the noble Marquess opposite. It is quite clear that the arguments which have been put forward by my noble and learned friend Lord Halsbury and by Lord Camperdown are entitled to further examination, and the appointment of a small Committee such as that suggested by the noble Marquess is a very appropriate way of dealing with the point.

Motion, by leave, withdrawn.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to Order).

[The Earl of ONSLOW in the Chair.]

Clause 3:—

THE CHAIRMAN OF COMMITTEES called upon Lord Heneage, who had an Amendment down to Clause 3, to add at the end of the first sub-section the following proviso—

"And such special teaching may be given by the teachers employed in the school during the ordinary school hours."

*THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): My Lords, before the noble Lord rises I should like to inform the House that I have been in communication with the noble Lord and also with the most rev. Primate and Lord Jersey, who have similar Amendments on the Paper. It seemed to me that it would be altogether more convenient if these questions whether the special teaching should be given by the teachers employed in the school were postponed until we come to Clause 8, which deals with all the duties and privileges of teachers. I understand that noble Lords are willing that this course should be pursued, and that Lord Heneage does not propose to move his Amendment.

LORD HENEAGE: I quite agree with the course suggested by the noble Earl, and am ready to withdraw my Amendment.

*VISCOUNT ST. ALDWYN moved the insertion of words providing that where an existing voluntary school had not been continued on account of its not being required for the purpose of providing sufficient public school accommodation, the local education authority should be bound, on the requisition of the owners of the school house, to afford facilities for the special religious instruction hitherto given in that school in some other school accessible to children resident in the same area as those who had attended the school which was not continued. He said that since he placed the Amendment on the Paper the clause had been modified by two Amendments. The first of those Amendments was proposed by the Bishop of Hereford, who had secured the insertion in the clause of the words—

"If in any parish in a rural area there is only one public elementary school provided for the children of the parish, and the parents of a reasonable number of children attending the school have required such facilities, the local education authority shall . . . . . afford those facilities."

Therefore, so far as rural areas were concerned his (the noble Viscount's) Amendment was quite unnecessary. The Bishop of Hereford's Amendment, however, did not meet the point of schools in urban areas. The position of those schools had been to some extent safeguarded in this matter by the words inserted in Clause 2, on the Motion of the Bishop of London, that the Board of Education in the case of an appeal to them against a decision of the local education authority not to continue a voluntary school, should have regard to the circumstances of the case—

"Including the interest of secular instruction, the wishes of the parents as to the education (including the religious education) of their children, and the economy of the rates."

The words "including the religious education" did bear very much on the point of his Amendment. There still remained, however, the case of a voluntary school in an urban area which was not continued, on the ground of its not being required for the purpose of providing school accommodation. It was difficult to define what the area should be, and he was not quite content with his own definition. He did not desire to press the Amendment now, but he was anxious to obtain, if he could, some expression of opinion from His Majesty's Government on the matter.

Amendment moved—

"In page 3, line 17, after the word 'it' to insert the words 'where an existing voluntary school is not continued on account of its not being required for the purpose of providing sufficient public school accommodation, the local education authority shall be bound, on the requisition of the owners of the school house to afford facilities for the special religious instruction hitherto given in that school in some other school accessible to children resident in the same area as those who have attended the school which is not continued.'"—(*Viscount St. Aldwyn.*)

*THE EARL OF CREWE: My Lords, as the noble Viscount has said, it is perfectly true that a considerable part of what he intended to do in putting forward this Amendment has already been done by the two Amendments inserted on the Motions of the right rev. Prelates the Bishop of Hereford and the Bishop of London. But it is also true, as the noble

Viscount stated, that there are certain cases of discontinued schools which will not be covered by either of those Amendments. This Amendment is one which, as I have said before, deserves careful consideration, because it is undoubtedly desirable that, in any transition such as that which is proposed under the Bill, the transition should be as little abrupt as possible and inflict as little hardship as possible on individuals.

That, of course, applies to children now attending the schools. But the noble Viscount told me the other day that he by no means intended to confine the privileges of facilities to them, but that it should in some manner descend to future generations of Church children in the neighbourhood. I agree with the noble Viscount that it is a very difficult thing to do, and I very much doubt whether the words which he has placed on the Paper, I do not say carry out his view, but whether they might under some circumstances not do a very great deal more. Let me suggest an actual case to your Lordships, that of a small discontinued Church school containing, say, one hundred places. I say one hundred places, not one hundred children in average attendance. Your Lordships will realise the difference. In fact, there is nothing, I think, which comes more home to us on most occasions, though not during these debates, than the difference as applied to this House, between the available accommodation and the average attendance. I take on this occasion the number of school places available. These one hundred places have somehow to be distributed among other schools, very possibly council schools. The facilities, as I understand, are to be confined to these particular children and to other children who may be spoken of as their heirs and assigns. The result will be that in these schools you will find a certain number of Church children receiving these particular facilities, whereas there may be other Church children in the school who would attend it in the ordinary way as a council school who would not receive these facilities. Would not that be a very difficult and a very anomalous position? I should certainly have supposed that the other Church children in the school who, for purely residential reasons, did not receive the facilities, would consider that they were undergoing considerable hardship.

The Earl of Crewe.

Then as regards area. How are you going to estimate the area to which this privilege is to apply? It sometimes happens that for one reason or another one or two children go a very considerable distance to a particular school because they like the teaching there or for some reason which affects the parents. Is that child who goes perhaps a mile and a half through the streets to entitle the whole of the residential area in which he lives to a future enjoyment of these religious facilities? And if not, how are you going to draw the line? You will have, apparently, in the first place, to make a list of all the children, a sort of map with the residence of each child, and you will then have to draw a line round these various points, including them all; and that would be the arbitrary area to which these facilities would in future apply.

I confess, my Lords, that the prospect of arriving at a satisfactory concluson on these lines seems to me extremely remote. I entirely recognise the spirit in which the noble Viscount has made the recommendation, and any proposal of his, I need not say, is one which we should carefully examine, simply because it comes from him; but I confess it does not seem to me that this is a very feasible suggestion, and therefore I am afraid His Majesty's Government cannot give their support to it. At the same time I think it is perhaps only right that I should warn the noble Viscount of this fact, that, as regards the two proposals upon which he relies as carrying out part of his intention, he must remember that those two proposals were not accepted by His Majesty's Government.

*THE MARQUESS OF LANSDOWNE: My Lords, I understand that my noble friend behind me does not desire to press his Amendment upon the House. I think he will probably be content with having obtained from the noble Earl the Lord President of the Council a very frank admission that there are certain cases of discontinued schools which are not sufficiently covered by the Bill as it now stands. We most of us admit with the noble Lord the great difficulty of dealing with the particular class of case at which my noble friend's Amendment is aimed. We must also admit, and I think my noble friend the mover will probably himself admit, that at some points his Amendment as it stands might operate somewhat inconveniently to the parties concerned. My noble friend will not press his Amendment to a division, but we reserve to ourselves the right of recurring to the point at a future stage.

THE LORD BISHOP OF SOUTHWARK said the statement was commonly made that in towns, of course, matters were all right, because there were two classes of schools and everybody had a good choice. He pointed out, however, that if care was not taken to provide for certain urban areas something in the nature of the arrangement that was to be made in rural areas, there would be serious disparity and injustice of treatment. There were immense suburban areas in which, under the proposals of the Bill, there would be no facilities at all. He was glad, therefore, to know that the noble Viscount was still turning the matter over in his mind.

*LORD STANLEY OF ALDERLEY agreed with what had been said by the right rev. Prelate, that in towns, as a rule, there was a choice of schools; but he admitted that there were large areas within towns—he mentioned, as an instance, Fulham—where there was no such choice. He would give four instances illustrative of the point put by the noble Earl the Lord President. In Acton there were only 252 children in voluntary schools, and 6,307 in board schools. Supposing that in Acton one Church school was closed because the local authority found it not necessary for the public school accommodation, was the Amendment to carry forward a sort of lien for 252 places, or was it to be a general right for every child? If the former it would lead to very troublesome book-keeping and would be impracticable: while, on the other hand, if they were to say that all the Church children of Acton should have a right to claim religious instruction, that would be establishing an unconscionable bargain. In Beckenham there were 205 children in voluntary schools as against 2,769 in board schools; in Wood Green there were 553 children in voluntary schools as against 5,781 in board schools; and, to go to the country, there were in Rowley Regis in Staffordshire 301 children in voluntary schools as against 6,749 in board schools. It was clear that the closing of one of these small schools could not possibly be taken as creating an equitable right to claim facilities. He was confident that the noble Viscount's proposal was an impracticable one, and that the Board of Education would find it quite impossible to administer.

THE LORD BISHOP OF BIRMINGHAM said that a very large number of Churchmen felt strongly the grave injustice which was being done. In very many districts there was practically no accommodation except where the Cowper-Temple teaching was given; on the other hand, there were a very large number of districts where the condition was exactly the opposite. Now, what was being done by this Bill? There was being taken away the control which provided the donominational teaching in the one class of districts, but there was no rectification being provided on the other side.

He had just re-read an article on elementary education by the Minister for Education which appeared in the *Independent Review* for October, 1903. Mr. Birrell there considered what would be a just and equitable exchange. The thing to be desired, Mr. Birrell then said, was that all the Church schools should become provided schools, and he said there was only one exchange which Nonconformists had to prepare themselves for.

> "What," he said, "has Nonconformity got to offer to the Church of England? But one thing—the Cowper-Temple Clause. It will be hard to part with. . . . It is all that is left of the compromise of 1870."

Mr. Birrell went on to point out in this article that this was one thing which must plainly be given up if there was to be, on the other hand, a surrender of Church management of the non-provided schools. That equitable exchange had not been carried out, and, as the account now stood, there was a very grave injustice being done on a large and widespread scale to those who cared for denominational teaching.

He could not but profoundly regret that the proposal to carry out that exchange which Mr. Birrell himself had propounded as the only equitable one was not persisted in. There would be, it seemed to him, if the noble Viscount's proposal were carried out, a slight instalment of the justice which on the whole could only really be rendered if they had facilities on a universal scale.

*VISCOUNT ST. ALDWYN did not think the dilemma which Lord Stanley of Alderley had put to him was a difficult one. To take the case of Acton, the school authorities and the Board of Education could continue the single denominational school, which was what they ought to do, or they could find places for the 252 children in one of the many board schools. He could not see any difficulty so far as children now in a denominational school were concerned. He did not wish to continue the discussion, and would withdraw his Amendment.

Amendment, by leave withdrawn.

THE LORD ARCHBISHOP OF CANTERBURY had the following Amendment on the Paper—viz.—

" In page 3, line 20, after ' authority ' to insert ' but any teacher employed at a public elementary school shall be at liberty to give such instruction if convenient arrangements can be made,' and also to insert the following new sub-section."

" (3) Any question which may arise between persons supplying instruction under facilities afforded under this section and the local education authority as to the mode and times in which these facilities are afforded shall be determined by the Board of Education."

He said he would withdraw the first part in deference to the appeal of the noble Earl the Lord President, on the perfectly clear understanding that the subject was coming up again for discussion on Clause 8. The second part of the Amendment was quite independent. It had been pointed out to him that the alternative words suggested by Lord Balfour of Burleigh, viz.—

" (3) Any question which may arise under this section between the parent of any child attending the school or the persons providing or proposing to provide any religious instruction in pursuance of any facilities afforded or acquired under this section, and the local education authority shall be determined by the Board of Education,"

were a little clearer in expression without practically having any difference in intent; and, with the permission of the Committee, he would like to be allowed to move his Amendment in that form.

*THE EARL OF CREWE: The Amendments are by no means the same.

THE LORD ARCHBISHOP OF CANTERBURY: Which will you accept?

*THE EARL OF CREWE: I do not like either, but, of the two, I think the most rev. Primate's would be the least difficult.

THE LORD ARCHBISHOP OF CANTERBURY said it seemed to him to be absolutely essential that there should be some authority to which reference should be made, and he could suggest no other than the Board of Education.

Amendment moved—

" In page 3, line 20, after the word ' authority,' to insert the following new sub-section:—' (3) Any question which may arise under this section between the parent of any child attending the school or the persons providing or proposing to provide any religious instruction in pursuance of any facilities afforded or acquired under this section, and the local education authority shall be determined by the Board of Education.' "—(*The Lord Archbishop of Canterbury.*)

*THE EARL OF CREWE: This Amendment does not involve any great point of principle. It is one of administrative convenience, and I am doubtful as to how far it is necessary at all. As the Bill now stands the facilities have to be given in the morning, and by an Amendment of the right rev. prelate the Bishop of Birmingham, to which we cordially agree, they must be given for a clear half-hour. I confess I do not see, under these circumstances, how any great difficulty is likely to arise in making arrangements for them.

The most rev. Primate must remember that these arrangements fall, in case of dispute, for discussion before the Commission, and, therefore, it is impossible to give an appeal of this kind both to the Commission and to the Board of Education. I must further point out that in one respect the most rev. Primate's position has been weakened, but that is by an Amendment passed by noble Lords. As we brought in the Bill, the mode and time at which facilities could be given might be made part of the conditions under which the school was transferred. Noble Lords opposite have insisted upon all schools being transferred, and, therefore, the transferring body cannot exercise on the local authority in this respect the pressure which they could have exercised as we brought in the Bill. As I say, I do not oppose the Amendment as one of principle. At the same time, I think, particularly as drawn up, it would not be an improvement of the Bill, and it certainly would be in any case necessary to alter the provision under which an appeal is made to the local authority as regards the transfer.

THE EARL OF CAMPERDOWN: Might I ask which Amendment we are on?

*THE EARL OF CREWE: The second Amendment of the most rev. Primate. The first is one of those which I suggested would be better postponed until Clause 8.

THE LORD ARCHBISHOP OF CANTERBURY: Is not what will come before the Commission merely the making of the agreement? The question afterwards as to whether the agreement is being observed has to be settled by somebody.

THE EARL OF CAMPERDOWN said the proposal had been made that these questions would be referred to the Commission. But was the Commission going on for ever? These question, she apprehended, would continue to arise for an indefinite period. As the Bill stood, the Commission was to last until the end of 1908. But what was to happen in the case of questions arising after that time? He thought it would be desirable that these matters should be submitted to the Board of Education and not to the Commission.

*THE EARL OF CREWE: The noble Earl has, in fact, raised the same point as was raised by the most rev. Primate. As regards the future arrangements that have to be made, no doubt he is correct. The Commission will not be sitting, and if an appeal is given at all it must be to the Board of Education; but, as the Amendment is drawn, it appears to us that it would allow of concurrent appeals to the Commission and to the Board of Education in the first instance. On the general question, I am bound to add that we do, as a general rule, distinctly deprecate these continued appeals to the Board of Education on matters of this kind; but, if the most rev. Primate presses the Amendment, although I cannot agree to it, yet I do not propose to divide the Committee against it.

THE MARQUESS OF LONDONDERRY regarded the answer of the noble Earl as somewhat unsatisfactory. So far as he gathered, there was to be an appeal, so long as the Commission lasted, to both the Commission and the Board of Education.

*THE EARL OF CREWE: I said there would be, according to the Amendment.

THE MARQUESS OF LONDONDERRY said the Act of 1902 fully provided for these matters and gave an appeal to the Board of Education. No difficulty had arisen, and he thought it would be well if the noble Earl would state what he really did intend in the matter.

THE EARL OF CAMPERDOWN said he understood the noble Earl the Lord President to say that the appeal would be to the Board of Education or to the Commission. Unfortunately that was the state of confusion which pervaded the Bill. If their Lordships took Clause 2 in conjunction with Clause 9 they would see that there was an entire confusion between the Commission and the Board of Education. What was to determine whether the appeal was to be made to the Board of Education or to the the Commission?

*THE EARL OF CREWE: As the Bill stands, the appeal is to the Commission alone in respect to what occurs when the transfer is to take place.

THE MARQUESS OF SALISBURY did not understand the point made by the noble Earl the Lord President. It did not appear to him that if they accepted the Amendment of the most rev. Primate there would be an appeal in matters of this kind to the Commission. The Commission would, no doubt, adjudicate finally as to terms and arrangements when the school was to be transferred, but as soon as the transfer had taken place they would have completely performed their function and would be at an end. It was then that a difficulty might arise as to the proper supply of accommodation required for giving facilities. Who was to decide that? The Government had no right to leave the Committee without guidance. If the noble Earl admitted the difficulty he thought they might call upon him to admit their remedy unless he had a better to propose. The present proposal was imitated from a provision in the Act of 1902 by which in the event of difficulties arising in carrying out the policy of that Act the Board of Education decided. He believed that arrangement had worked well.

*THE EARL OF CREWE: The noble Marquess forgets that we brought this Bill to the House with a definite proposal, which was that the question of the mode and times in which facilities were to be afforded should be one of the conditions which it was possible for those who transferred the school to insist upon. Noble Lords have destroyed that condition in their general process of battering this Bill out of recognition, and then the noble Marquess asks me to invent some plan for getting him out of his difficulty. I respectfully decline to do anything of the sort.

THE MARQUESS OF SALISBURY said the difficulty would have arisen, though perhaps not so largely, under the Government plan as the Bill was brought to their Lordships' House. The Government, however, proposed no remedy, and he suggested that the noble Earl should take theirs.

THE LORD ARCHBISHOP OF CANTERBURY did not think the difficulty had been created by what had been done by the Committee. In any case difficulties in matters of administrative detail would be likely to arise which some authority would have to decide. Let them take the case where an agreement had been made that there should be religious education given in the schools at certain times. After a while the local education authority might say, "We cannot allow you to have that particular room; you must have another," and that other room might be totally unsuitable for the purpose. There was no authority in the Bill to whom they could appeal in such a case. This was a purely administrative detail, but they wanted to see it carried out. All that he asked was that some arrangement should be made whereby, when difficulties arose about agreements, some authority should exist with power to settle them.

*THE MARQUESS OF LANSDOWNE: My Lords, I hope His Majesty's Government will vouchsafe a little more explanation upon this point. We did not invent facilities. In the Bill as it was presented to your Lordships facilities found a place. Our case is that in the interpretation of those facilities it is inevitable that from time to time new points should crop up which require some authority to adjust them. Will the noble Earl tell us to what authority such a difficulty will be referred? We appeal to the experience of the Act of 1902, and we say that an arrangement of the kind suggested has worked perfectly well. It is surely obvious that unless you provide some means of this kind you will have, as time goes on, inextricable confusion. The most rev. Primate, in moving this Amendment, has made an honest attempt to improve the machinery of the Bill, which machinery is, we shall never cease maintaining, thoroughly defective. I do think that might have been admitted, and that the noble Earl opposite might have met us half way and avoided the suggestion that we were in this matter endeavouring to impose upon His Majesty's Government any alteration of the Bill which could in the least interfere with its proper working.

*THE EARL OF CREWE: I am anxious not to prolong the discussion, but I feel it my duty to point out that by far the greater part—nine-tenths, I think—of the difficulty was caused by the fact that your Lordships made the taking over of all these schools compulsory. As regards the remaining one-tenth, I confess I do not think it is a matter of very great importance. It is one of a class which the Board of Education do not like dealing with, and I certainly am not prepared to say that the kind of appeals which have been made under Clause 7 of the Act of 1902, to which the noble Marquess has alluded, have been altogether easy for the Board of Education to decide. But, as I say, I have no wish to divide the Committee against this proposal if the most rev. Primate wishes to press it.

On Question, Amendment agreed to.

THE LORD BISHOP OF WINCHESTER moved an Amendment to secure that a local authority should give permission that the religious instruction of a special character given under this section might be inspected. He said they believed very strongly that without inspection the instruction would deteriorate and a syllabus would become illusory. It was because he wished the special religious instruction to be sound and efficient that he had tabled his Amendment providing for regular inspection. Clause 76 in the Act of 1870 was similar to his proposal, and for 36 years it had been attended with good results. They need not be afraid of inspectors entering the schools. The entry of these inspectors had produced no sort of disturbance, but had been productive of unmixed good. He hoped the Government would give some sympathetic consideration to the Amendment.

Amendment moved—

"In page 3, line 20, after 'authority' to insert '(3) A local education authority shall give permission that the religious instruction of a special character given under this section may be inspected, but no part of the expense of such inspection shall be paid by the local education authority.'"—(*The Lord Bishop of Winchester.*)

LORD STANLEY OF ALDERLEY said the request contained in the Amendment of the right rev. Prelate was a fair request, but the words should be drawn a little differently. The voluntary schools, under the Act of 1870, had a special provision to enable them to arrange for diocesan or other inspection. The board schools, if they wanted religious inspection or examination, used to notify that on a particular date the school would not exist as a public elementary school. Notice was then given to the children that attendance was voluntary, but that if they did attend they would have religious examination. But, now that all schools became provided schools, he thought it was reasonable that the former owners of transferred schools should have the right to demand one day in the year, of which they should give reasonable notice—say two or three weeks—for the examination and that on that day the schoolhouse belonging to them should not be used by the local authority as a public elementary school. The children who had shared that instruction would then be informed that if they were desirous of being examined they could attend on that day.

*THE EARL OF CREWE: My Lords, I am very glad that the noble Lord who has just sat down expressed a sympathetic view of the right rev. Prelate's Amendment, because it is one towards which we also feel a great deal of sympathy. I need hardly say that my noble friend behind me has given an absolutely correct account of the law and the practice up to the present time. The right rev. Prelate, of course, will understand that as the law is, and as our Bill runs, it would be quite competent for the local education authority to give the permission he requires in the manner which the noble Lord behind me indicates—that is to say, by giving up on a particular day the use of the building as a public elementary school and allowing the examination to be held. As to the question whether it is possible to impose that duty upon the local education authority, as was done in the case of voluntary schools by Section 76 of the Act of 1870, that is a matter about which I am not so certain. But I can assure the right rev. Prelate that we will take the whole matter into full consideration, and, if he pleases, consult with him as to the best possible method of giving expression to his wishes. I think it is pretty clear that, as the words stand, they would not be exactly satisfactory or meet the desires of the right rev. Prelate.

THE EARL OF CAMPERDOWN held that the words in the right rev. Prelate's Amendment were not quite clear. They did not make clear what sort of inspection was meant, nor by whom the inspection was to be carried out.

THE LORD BISHOP OF WINCHESTER expressed his gratitude to the Lord President of the Council for the answer he had given, and, on the understanding that the matter was to come again under review, he withdrew the Amendment in its present form.

Amendment, by leave, withdrawn.

THE LORD BISHOP OF SALISBURY moved to insert a new sub-section. He stated that there were in existence in the thirty-six dioceses of England and Wales forty-nine such associations as were mentioned in his Amendment, all of them constituted with the aid of the Board of Education, besides he did not know how many associations representing the other denominations. These associations had been proved by experience to be of great value, as bringing together the clergy and laity of the Church of England in the matter of school work, in a way that was not common before. Provision for the continuance of these bodies had been omitted from the Bill, and this, he presumed, was because the authors of the Bill felt that the subject was not so very pressing as many other subjects were. The Amendment was in no sense antagonistic to the Bill.

Amendment moved—

"In page 3, line 20, after 'authority' to insert the following new sub-section. '(3) If associations are constituted in such manner and in such areas and with such governing bodies representing the owners and trustees as are approved by the Board of Education, it shall be lawful for such associations to take over the powers, duties, and funds of the existing associations of voluntary schools constituted under the Voluntary Schools Act, 1897, and also to receive any sums payable for the purchase or hire of schools in their areas and to administer them for the purpose of carrying out the trusts or purposes for which such schools have been previously held, including payments for religious instruction, and to perform any other duties, and to exercise any other powers which the owners or trustees of such schools may think fit to delegate to them.' "—(*The Lord Bishop of Salisbury.*)

*THE EARL OF CREWE: My Lords, this Amendment, of course, is not in the strict sense a controversial one. It is certainly not one which His Majesty's Government are disposed to treat as a matter of controversy, but it undoubtedly raises various important points upon which I think it is desirable that the Committee should be informed. Your Lordships have already dealt with Clause 2, and, at the instance of Lord Barnard, you passed an Amendment to this effect—Provided that such an arrangement—that is to say, the arrangement for transferring the school—includes, as far as may be, having regard to the altered circumstances of the case, adequate provisions for the preservation of such trusts, and for the protection of the endowment subject thereto.

I shall be glad, I confess, before the debate on this Amendment is concluded, to hear the opinion of Lord Barnard. That noble Lord stands, so to speak, like a warning angel with his sword drawn in his hand, barring every road which does not lead to the Charity Commission; and if, as it appears to me, this Amendment necessarily involves some remarkable dealings with trusts, I hope we shall hear what the noble Lord has to say on the subject. The Amendment states that these associations may receive any sums payable for the purchase or hire of schools in their areas and administer them for the purpose of carrying out the trusts or purposes for which such schools have been previously held, including payments for religious instruction, and perform any other duties and exercise any other powers which the owners or trustees of such schools may think fit to delegate to them. I am no lawyer, but it is certainly strange to me that it should be suggested that trustees may delegate to others powers of this kind.

What are these trusts? They comprise sums of money or buildings left by pious and far-seeing people in former times for the benefit and education of a particular parish, and the suggestion is, as I understand it, that if the trustees agree to delegate their powers to these associations, all the sums received by way of rent or otherwise by them may be pooled into one large sum and distributed according to what I have no doubt are very rightly considered the superior needs of poorer places and the lesser needs of wealthier places. That, I venture to think, is an exceedingly rational proposition, and in itself it is not likely to receive any severe criticism from this side of the House; but, being in charge of the Bill, I am, I think, bound to point out that it does involve very extensive dealings with trusts and endowments.

Before I sit down I might point out that the wording of the right rev. Prelate's Amendment is perhaps open to some criticism on the ground that the associations of voluntary schools constituted under the Voluntary Schools Act, 1897, are themselves no longer in existence Their place has been taken by the bodies appointed under the Act of 1902 to deal with the balances of parliamentary grants and other matters. But that is merely a matter of wording, and one which could no doubt, be easily corrected. It is important to point out that in this matter the Board of Education has merely to act in its capacity of Charity Commissioners, and not to take any part on its educational side in considering or criticising what might be done under the Amendment. The point to which I specially wish to draw your Lordships' attention is that which I have mentioned relating to trusts, and I should be very glad to have the opinion of noble Lords opposite on that.

LORD BARNARD said he was entirely in agreement with what had fallen from the noble Earl the Lord President of the Council as to the effect which the proposed new sub-section would have on the words introduced into the Bill on his (Lord Barnard's) Motion at an earlier stage. When he first read the latter part of the right rev. Prelate's Amendment he came to exactly the same conclusion as the noble Earl, that it was the intention to pool the endowments on all the schools, which would be contrary to the intention expressed in Clause 2. But he thought, on careful perusal, that it was not impossible that an arrangement made under Clause 2, or a scheme made under Clause 9, might provide that the duties of preserving the trusts might be transferred to such an association. He was doubtful whether the wording of the Amendment now before the Committee made this point clear, and he strongly advised the right rev. Prelate to withdraw his proposed new sub-section at this stage.

THE LORD BISHOP OF SALISBURY asked whether the Committee would not be willing to adopt the Amendment as it stood and then amend it on Report in any way that might be thought best. He denied that it was the intention to pool the endowments.

LORD HENEAGE hoped the Committee would not adopt the Amendment at the present stage. It was not at all in a satisfactory state, and even if it were, he did not think it should be added to the present clause, but should, after it had been put into a shape which would be workable and practicable, constitute a new clause of itself.

LORD ASHBOURNE said it was obvious that the drafting of the clause required consideration. The matters dealt with were of the highest importance, and he suggested the withdrawal of the Amendment in order that the wording might receive closer examination.

THE LORD BISHOP OF SALISBURY asked whether the Government accepted the principle that it was desirable that some bodies representing the owners or trustees should be formed under the Bill.

LORD STANLEY OF ALDERLEY said that, if they allowed owners of existing schools to combine or associate, the initiative ought to be entirely in the hands of the owners. There ought to be no compulsion upon them to make them hand over funds in the way proposed.

THE LORD BISHOP OF SALISBURY said he had consulted an eminent lawyer with regard to his Amendment, and had been told that the clause, as drafted, made none of the powers compulsory but only optional.

*THE EARL OF CREWE: In the opinion of His Majesty's Government this is a question for the trustees and owners themselves. It is purely a domestic matter, and one on which we do not feel competent to form an opinion. I am speaking, of course, on the assumption that the proposed bodies called associations are to be entirely advisory and are not to take over any of the powers of the trustees.

THE EARL OF HALSBURY said he had every sympathy with the object of the clause, but he had considerable doubt whether the criticism of Lord Stanley of Alderley was not just. He certainly would not advise that the clause should be passed under the impression that there was an entire option. He did not think there was.

THE LORD BISHOP OF SALISBURY repeated his question, whether His Majesty's Government sympathised with the general principle that it was desirable that some bodies representing the owners or trustees should be formed under the Bill.

No Answer was given.

Amendment, by leave, withdrawn.

Moved, "That Clause 3, as amended, stand part of the Bill."

THE LORD BISHOP OF ST. ASAPH asked what exactly was the effect of the Amendment adopted on Thursday night on the Motion of the Bishop of Oxford. Did it mean that facilities for religious instruction might be given on every day of the week in the case of all children that required such instruction?

*THE EARL OF CREWE: My Lords, I am very glad that the right rev. Prelate has raised this point, because it does seem to me to be one on which considerable confusion exists even in the very highest quarters. I read in *The Times* this morning a letter from the most rev. Primate, in which he dealt with the numerous changes which have so far been made in the Bill by your Lordships. After enumerating some of the earlier changes, the most rev. Primate said—

> "Further, in a rural area, where there is only one school for the children of the parish, we require the local authority to allow 'facilities' on every day to those parents who desire denominational teaching, whether the school in question has hitherto been a provided or a voluntary school, the cost of such teaching being borne by the denomination which requires it. This, too, I believe, corresponds with the intention of almost all fair-minded people."

Now, my Lords, what actually occurred was this. We passed an Amendment moved by the right rev. Prelate the Bishop of Hereford, providing that in single school districts in rural areas existing council schools should be subject to the requirement to give facilities as though they were transferred schools. At the time that Amendment was passed the facilities to be given in transferred schools were limited to two days, and I believed, and I am still under the impression, that that was the intention of the right rev. Prelate in moving the Amendment.

THE LORD BISHOP OF HEREFORD assented.

*THE EARL OF CREWE: Consequently, the most rev. Primate is, in effect, incorrect in stating that it was decided that in such council schools five days' facilities should be given. But what was afterwards done by the Amendment of the right rev. Prelate the Bishop of Oxford had no reference whatever to single school areas. That Amendment decided that in every transferred school, no matter where, if desired, five days' facilities might be given. I was not perfectly certain at the time that all your Lordships knew what you were doing in voting for that Amendment. I stated that it was, in my opinion, destructive of the fabric of the Bill. But, unfortunately, the discussion wandered away on to a side issue, and it occurred to me that it was just possible some noble Lords, and even some right rev. Prelates who supported that remarkable Amendment, were not quite conscious of what its full effects were. It is perfectly evident that the most rev. Primate has misapprehended the effect of the Amendment, because in the letter from which I have quoted he has limited to single school areas the provision of five days' facilities. As a matter of fact, in these single school rural areas the provision was intended to be two days' facilities, and it was only owing to the subsequent Amendment, which applied five days' facilities to all districts, that these single school districts were included.

*THE LORD BISHOP OF OXFORD thought it would be very strange if noble Lords had not realised the effect of the Amendment, which had been down on the Paper for some time in the name of Lord Balfour of Burleigh, in whose absence he (the right rev. Prelate) had moved it. Before the Bishop of Hereford's Amendment was put to the House he expressly drew the attention of noble Lords to the fact that the question whether or not facilities were restricted to two days was left entirely open, and that the Amendment of which Lord Balfour of Burleigh had given notice was still on the Paper. He did that because in one speech it had been incidentally assumed that the facilities would be for two days only. Among the many anxieties that arose in the mind after one had made a speech was whether one had made clear what one meant to say. He had just received the *Hansard* proof of his own speech in moving the Amendment, which relieved him of any anxiety as to whether his explanation was ambiguous. He had explained it as plainly as he could.

*THE EARL OF CREWE: I certainly did not mean to hint that any confusion that might have arisen in the minds of noble Lords or of right rev. Prelates was due to any lack of lucidity on the part of the right rev. Prelate who has just sat down. An entirely different point as to how the two days' facilities could be used was afterwards raised, and it did occur to me that noble Lords might have imagined that in voting as they did they were enabling each child in all circumstances to get two days' facilities and not enabling all children to get five.

*THE LORD BISHOP OF OXFORD said he was grateful to the noble Earl for acquitting him of obscurity in the matter. There was a great deal more he would like to say with regard to the Amendment which their Lordships adopted on Thursday night, but he would postpone it until a later stage. He believed the Amendment had been reasonable, just, and necessary.

THE LORD BISHOP OF HEREFORD said that for his part he could not be a party to asking for facilities in all their schools on every day in the week, and he could not imagine that such a proposal would be entertained for a moment outside.

THE EARL OF CAMPERDOWN submitted that there was no obscurity as to what had taken place. The Bishop of Oxford's Amendment, which was perfectly clearly explained, had, of course, a retrospective reference to the former clause. Personally he perfectly understood the effect of the Amendment, that it gave to every child the power of being taught for half an hour every morning in the week, and it was for that reason that he voted against it.

LORD BURGHCLERE: On a point of Order, I should like to ask the noble Earl the Chairman of Committees what the Amendment is before the House.

THE CHAIRMAN OF COMMITTEES: There is no Amendment before the House. The Question is that Clause 3, as amended, stand part of the Bill. I think noble Lords are perfectly in order in discussing it.

THE LORD ARCHBISHOP OF CANTERBURY said he had not a copy of his letter by him, but he would look into the matter at once, and if he found he had expressed himself in a way open to misconstruction he would take the earliest opportunity of setting it right. With regard to the final words of the clause, it was very desirable that the Government should make it clear that it was not intended to impose on those who gave the religious instruction a portion of the whole expenditure incurred in the school at the time of such instruction. The question had been raised in the House of Commons, and the highest legal authority there stated that there was no ambiguity, and that the provision could only mean the payment for books and the actual expenses incurred in giving the special instructions. If that were so, he thought it was most desirable that His Majesty's Government should make it clear in the clause itself.

*THE EARL OF CREWE: It is certainly our intention, as the most rev. Primate has stated, that the expense which is incurred by the religious body should be limited to the cost of teaching and books, and anything which can be said directly to have regard to the teaching itself. Such matters as the lighting and warming of the rooms we intend should be paid for by the local authority. The local authority keeps the school going during the whole of the time, and therefore pays those expenses. We are advised that the words of the section sufficiently give effect to this intention, but, if any noble Lord or right rev. Prelate thinks he can find happier words, we shall be pleased to consider them.

On Question, Motion agreed to.

Clause 4:—

LORD HENEAGE moved to substitute for the first "may" the word "shall," in order to make the clause mandatory instead of permissive. In the few remarks which he intended making he would adhere entirely to the Amendment and its object. He took it for granted that on both sides of the House there was a clear understanding that this clause in some shape or other must form part of the Bill, and they had the statement of the noble Marquess the Leader of the House, on the Second Reading of the Bill, that without this clause he would be no party to the Bill. Therefore whilst every noble Lord on the Opposition side desired this clause they might take it for granted that those sitting on the Government Benches also desired it. He did not, therefore, propose to go into the question of the objects of the clause as a whole, but simply as to whether it was to be a mandatory clause or to be left permissive to the local authorities.

The clause was, in his opinion, absolutely worthless, unless it was made mandatory on the local authorities to carry it out. He believed that local authorities generally would approve of its being made mandatory, and those who objected to that course were the very ones on whom they ought to make it mandatory. The noble Earl the Lord President of the Council had on several occasions during these debates referred their Lordships to what took place in the other House of Parliament. He would like to return the compliment on this occasion, and to ask the noble Earl to remember what took place when this Amendment was discussed in the other House. First of all it was supported by Mr. Paul, who said it was a real indulgence to Roman Catholics and to Jews in a Protestant Bill; but he claimed that it would be of very great advantage also to the Church of England and to Nonconformists. Dr. Macnamara had distinctly stated that he was in favour of making the clause mandatory and he strongly objected to the contracting-out Amendment, and he (Lord Heneage) entirely agreed with him. He would like to see the contracting-out part of the Bill entirely done away with. It was also supported by Mr. Harwood, who termed the contracting-out clause a cruel alternative; and Mr. Ramsay Macdonald, the Labour representative, was strongly in favour of the clause being mandatory, and instanced the Factory Acts as a case where, if there had not been a mandatory provision, in many instances they would not have been carried out by the local authorities. Moreover, the division in the other House disclosed that there was a great difference of opinion on this matter even among the occupants of the Ministerial Benches. He begged to move the Amendment standing in his name.

Amendment moved—

"In page 3, line 21, to leave out the word 'may' and insert the word 'shall.'"—*(Lord Heneage.)*

THE MARQUESS OF SALISBURY, who had a similar Amendment on the Paper, said he regarded this clause as by far the most important clause in the Bill. Under Clause 1 their Lordships were willing to lay down a fundamental proposition that all elementary education in this country should have as part of it religious education. That he believed to be a very valuable declaration of opinion, which, if it formed ultimately part of an Act of Parliament, would be looked back to as one of the great milestones in the history of this educational controversy. But, as it stood, it was very little more than a declaration, a solemn declaration, of the opinion of Parliament. No teachers were provided by that Amendment in order to carry out the wishes of Parliament, and, more important than that, there were no means laid down for securing, not merely the actual period of religious instruction, but the religious spirit which ought to belong to and to penetrate all parts of education. Hitherto that religious spirit had remained alone in the voluntary schools, and, therefore, it was of the first importance, in considering this new Bill, to realise what the fate of the voluntary schools was going to be. Would there be henceforth what had been called a religious atmosphere in these schools? This religious spirit was as equally important from an undenominational as from a denominational point of view. He wished they could persuade noble Lords who sat opposite and their friends in the country how great their anxiety was, not so much for denominational religion as for the religious spirit itself. They might depend upon it, the existence of that religious spirit in our education was only secured if it was under the control of the denominations.

The Government said this clause was frankly denominational, and he desired to consider first of all the general religious result of the clause, and then its denominationalism. He was quite aware that this was not the place and he was not the man to deal with the more sacred and spiritual aspects of the question, but he might say this much, that these children were entering upon life, they were realising for the first time the awful powers of good and of evil which they would be called upon to meet, and over them was placed a teacher, who occupied a position of, he was going to use the word supremacy, which in their Lordships' class they could have no notion of. When he was a boy, and he had no doubt it was the case with many of their Lordships, they did not necessarily—he was sorry to say it, perhaps—respect very highly all the pronouncements and views of the teachers who were set over them. But, then, they belonged to the upper class. They came from educated and cultured homes, where their fathers and mothers were quite as competent, and sometimes far more competent, to pronounce an opinion upon this great question even than the schoolmasters under whom they were taught.

That was not so with the lower classes. The teacher there was placed in a position of extraordinary ascendancy over their persons and over their minds. His word was law. He was the source to them of all learning. To the child he had solved the mysteries of all knowledge, and he was the arbiter of conduct, the judge of good and evil, and so forth. That being the case, the religious position of the teacher was all-important for the argument he was now addressing to their Lordships, not necessarily his denominational position, but the fact whether or not he was a religious man. That was of supreme importance, because, if he treated religion with hostility—and cases of the kind had been mentioned by the most rev. Primate—or even with indifference, let them conceive what the effect would be on the child's mind. How were they to be sure that the child would be penetrated with the religious spirit? There was no way of securing that the teacher should be a religious man except by giving authority over his appointment to someone to whom his religious character was of supreme importance. Therefore, they wanted a great deal more in respect of their denominational schools than merely the facilities which had been provided to some extent by Clause 3 as it reached their Lordships' House.

The voluntary schools were to be done away with. That seemed a great pity. They were entirely satisfactory; they gave a first-rate secular education which was approved, and, besides that, they ensured that the teacher should be a man who was appointed with strict regard to his religious qualifications. Noble Lords on that side of the House did not contest that decision of Parliament; they submitted to it. It was no longer possible to trust the old system, which had hitherto secured what was so essential to be secured. But was there nobody else to whom they might appeal and in whose hands they might leave it to see that this religious spirit was maintained? Was there nobody except the denominations who were interested in securing that the teachers should be religious and that the atmosphere should be religious? Their Lordships would anticipate the answer. It was quite obvious where that responsibility might be made to rest—upon the parents, who were themselves more interested than anybody else in the welfare of their children. Therefore, in any school where the preponderating opinion of the parents was in favour of the maintenance of the old religious spirit of the school, in that school it ought to be maintained. It was not a question of "may" so far as the parents were concerned; their rights in the education of their children were indestructible and must be conceded. It was a question of "shall," and must be "shall."

All the other limitations which the Government had put in were almost equally absurd. It was not a question of urban and rural. The supreme claims of the highest of all influences upon a child could not depend on whether the child lived in a town or in the country; it could not depend on whether the population was 5,000 or 5,001. These propositions were so absurd that he did not think even this Government would defend them. The parents stood at the bar of their Lordships' House and asked for their rights. It was not a question of "may" and "may not," but a question of "shall." The parents had a right to demand it. To a great extent the Government themselves had admitted this principle as the logical development. They had admitted that where the parents in a large proportion had a particular religious view that view must be taken into account. They had admitted that under those circumstances no absolute discretion must be allowed to vest in the local education authority.

The Government had admitted, nay, they had claimed, that this clause was frankly denominational, and he believed they had also stated that this section completely saved the denominational schools. Did it save the denominational schools? How could it be said to save denominational schools? He called upon His Majesty's Government to show how, with all these pettifogging restrictions, it could be said to save the great mass o the denominational schools of the country. There were not only the restrictions which he had mentioned. When these wretched parents who were interested in the education of their children and were perfectly satisfied with the school as it had always existed had fulfilled, as the clause stood, all the restrictions about urban and rural and about 5,000, and so forth, they then had to convince the local education authority. What did that mean? The process of convincing a public body in England meant that they had to go at the time of the election into all parts of the constituency in order to get up an agitation in favour of their view. So that under the previous plans of the Government every contested election for a local education authority in England would have to be made the battle-field of this religious struggle. The parents or their agents would have to organise meetings, issue placards, and use all the squalid paraphernalia by which public opinion in England pronounced itself.

Then there came the local education authorities, who, when they were elected, had to consider the request. The Government treated these authorities badly. They did not say, as they were bound to say in a matter of this importance, "You ought to do this" or "You ought to do that"; they said "We leave it to your discretion." So that after the great friction at the hustings there was to be this friction in the council chamber, and when, after a spirited struggle during the election and a spirited struggle in the council chamber, a decision adverse to the parents was arrived at, then they had to go up to the Board of Education. The Board of Education had again to consider the matter, not to decide whether the local education authority had complied with the law or not, but whether the local authority in the exercise of their discretion had exercised a wrong discretion or not. That was always a bad kind of appeal, and it invariably led to a great deal of heart burning and friction.

It was important for their Lordships to realise the sort of considerations which would be present to the mind of the Board of Education when it was deciding whether it would override the decision of the local authority or not. What would these considerations be? It depended upon who was Minister for Education for the time being. The present Minister for Education, he supposed, would always consider the interests of Roman Catholics against those of Protestants. He did not know whether that was true or not, but everybody knew that this clause was introduced in order to satisfy the claims of Roman Catholics. This Government, supported by the votes of Nonconformists of the more extreme section of the population, would go down to history as having brought in a Bill containing provisions whereby Roman Catholics would have privileges which were denied to the Church of England. That would be, he presumed, the kind of consideration which would affect the mind of the Minister for Education when he was exercising his discretion under this clause.

It should be laid down what were the rights of the parents; they might be limited, of course, but that was for their Lordships to consider. He did not say that every parent, or every small number of parents, necessarily should have all these rights, but he did say that, when they had fixed upon the limitations, those limitations should not be a matter for the discretion of the local education authority or the Board of Education, but should be laid down in the Act of Parliament for the authorities to carry out. He would try and anticipate what kind of arguments would be used against this proposal. First of all, he believed it likely, from what passed in another place, that the Government would say that a mandatory provision would be unenforceable; that there would be no means, if they said the local education authority should grant these extended facilities if the conditions were satisfied, of enforcing that obligation on a reluctant education authority. He did not agree with that. He did not think the Government really believed it, because they themselves had provided an appeal in certain cases, and if an appeal could be enforced at all, then it could be enforced in every case.

The difficulty of the Government appeared to be based on a misconception. There was no real difficulty in enforcing by *mandamus* an order of a public department. It was done by many public departments and done continually. The detail, which was the difficulty, was dealt with in the order, and provided the order was within the powers of the particular Department and was not *ultra vires*, there was no difficulty whatever for the Court of King's Bench to enforce the Order by *mandamus*. Therefore if the Board of Education was empowered to place the details in an order, then that order could be enforced *en bloc* by *mandamus*, just as in the case of other public departments who had power to issue orders. So that difficulty disappeared when it was looked into. The Government might say they were claiming these great rights for the majority of the parents; what about the minority? He recognised that difficulty, and he believed that noble Lords on his side of the House would do everything in their power to safeguard the rights of minorities, subject only to the one limitation that they did not deny the rights of the majority. He urged their Lordships on this most important point in the Bill not to forget that justice was due to the parents in the exercise of the most sacred of their rights.

*THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Lord FITZMAURICE) said the noble Lord who had moved the Amendment now before the House had said that he intended to confine himself strictly to the terms of it, and he thought those of their Lordships who listened to his speech would agree that Lord Heneage entirely fulfilled his promise. He made a short speech, and a speech to the point; but he (Lord Fitzmaurice) could not help thinking that when Lord Heneage told the Committee so pointedly that such was his intention, he had some vaticination conveyed to him of the speech which the noble Marquess was about to deliver, and desired, if possible, to prevent him doing so.

He would not follow the example of the noble Marquess, who had made a Second Reading speech, and had dealt with the clause as a whole; he would keep to the Amendment. In the first place, however, he expressed regret, which he was sure would be shared by many noble

Lords opposite, that the noble Marquess should have gone out of his way to insinuate a charge of possible unfairness, should the Bill become law, against the President of the Board of Education. The noble Marquess had said that the clause, whatever merits it might have — he was not able to deny, from his own point of view, that there were some merits in it—was really intended by the Government for the sole benefit of Roman Catholics, and that they would subsequently find that it was administered for the benefit, if not exclusively at any rate principally, of Roman Catholics. This kind of charge he ventured to think was much better not made, and he thought the noble Marquess would feel that the imputation against his right hon. friend was an unfair one.

The noble Marquess had said that the parents of the children were at the bar of their Lordship's House. He (Lord Fitzmaurice) was rather short-sighted, but he could only see at the bar Members of the House of Commons, who appeared to be wondering at the noble Marquess's eloquent denunciation of the clause as it stood. The clause was a great concession to denominationalism, for which the Government had been subjected to many bitter attacks, and no doubt to-morrow's papers would report strong denunciations of the concessions made. Still, for better or worse, the Government stood by the concessions and were not ashamed of them, believing it was right to recognise, in building up the framework of a new and, as they hoped, permanent system of national education, the labours in past days of religious denominations in the service of education. For that reason the clause was inserted. It contained many points open to attack from the friends of the Government, as it contained concessions to those interests which noble Lords and right rev. Prelates desired to protect.

The daily affairs of public life could not be carried out by *mandamus*, as those who had had experience of local administration would allow. He mentioned the enforcement of the Vaccination Acts as an instance of the mistake of working by *mandamus*, by which anti-vaccinators were able to assume the position of martyrs. For that reason, much as they respected the high authority of Dr. Macnamara and others in educational matters, the Government came to the conclusion that it was better to keep the *mandamus* as far as possible in the background, and to rely, in the first instance, upon an appeal to the Board of Education. The noble Marquess had told them that in the last resort there was the *mandamus* after all. But there was no necessity always to bring in the constable's staff; government could be carried on by agreement and exchange of opinion, holding the strong arm of the law in reserve. The Government had decided to give an appeal to the Board of Education, and would not try to enforce regulations by *mandamus*, in the first instance.

Why was so little confidence displayed in local authorities? Nothing had astonished him more than to hear expressions of distrust from noble Lords who, in 1888, assisted in founding county councils, and who, by the Act of 1902, made borough and county councils educational authorities. Would noble Lords who were chairmen of county councils say they anticipated difficulty in carrying out the proposed arrangements, or did they think there was any reality in the lurid picture of a local inquiry drawn by the noble Marquess? He had been at a great number of local inquiries, and knew that passions did run a little high at times, but, with the exercise of patience and good will, matters were generally brought to a satisfactory conclusion. He undertook to say that these agreements would go through in an infinitely easier manner than noble Lords opposite imagined, and, as for the terrors which the noble Marquess had held up, he could safely say that he would not sleep any the worse after listening to them. He hoped the Committee would not accept the Amendment.

VISCOUNT LLANDAFF said Clause 4 was a recognition that the denominational system should be allowed to exist in this country. It was, he contended, clearly the intention of the Government and the House of Commons that where the conditions were fulfilled the extended facilities should be granted, but by retaining the word "may" a local authority would be enabled, in spite of all, to say, "No, the clause says 'may,' and we shall not give the extended facilities," and so the children might be turned into the meagre pasture of Cowper-Templeism.

The mere grant of an appeal negatived the word "may." As they meant that the facilities should be granted when the conditions were fulfilled, they ought to say that the facilities "shall" be granted. The first step then would be an Order by the Board of Education, that Department having satisfied itself that the conditions were fulfilled, to the local education authority to carry out its statutory duties, and, if they did not then fulfil them, the Department would fall back on the *mandamus*. In the name of the Roman Catholics he disclaimed any idea of asking for any privileges that their fellow-subjects and the Church of England did not equally demand, but they intended that the denominational facilities should be a reality and not a sham.

VISCOUNT **HALIFAX** said an ounce of fact was worth a pound of theory. When the county council in Yorkshire refused to pay a portion of the salary of the teachers for denominational teaching nobody supposed they were acting in accordance with the law. They said, "We are not going to pay for denominational teaching, and whatever the Act says, we do not intend to do it." It was not until afterwards it was found upon appeal that they had something to stand upon. Unless the clause was made mandatory the facilities would not be extended to a single school.

*VISCOUNT ST. **ALDWYN** said that the noble Lord the Under-Secretary of State for Foreign Affairs had given as his two main reasons against this proposal, first, that His Majesty's Government did not wish to live in an atmosphere of *mandamus*, and, secondly, that they ought to trust the local authority. He would like to answer those two arguments by a short and simple reference to Clause 3 of the Bill. The Government used "shall" in Clause 3, and what about the atmosphere of *mandamus* there? Why did the Government not show that confidence in the local authority in regard to Clause 3 which they now showed in relation to Clause 4? And what was the difference between the two that required "shall" in the one case and not in the other?

THE LORD **BISHOP** OF **LONDON** acknowledged the generous words which had fallen from the noble Viscount (Lord Llandaff) with regard to claiming no special privilege for the body to which he belonged as compared with the Church of England. He said he smarted under the great injustice which was being done to Church children in the twenty square miles in London where there were no Church schools at all, and he would bring up an Amendment on Report to endeavour to remedy that injustice. They were not bound to any special form of getting the denominational principle; they were bound to the principle itself. He supported the Amendment in the interest of the Church schools in London. They were bound to stand up for their Church schools on this clause. They hoped for immense things from Clause 4, but if "may" was retained at the beginning of it their hopes fell to the ground at once. He implored their Lordships to accept the Amendment. The noble Marquess the Leader of the House had said that without this clause the Bill would be unworkable and unjust; and he (the right rev. Prelate) ventured to assert that without this Amendment the clause itself would be unworkable and unjust.

*THE EARL OF **CREWE**: My Lords, I suppose that it is right for me to say one or two words on this Amendment. The debate has been kept within very close and narrow limits since the speech of the noble Marquess opposite, who, having a speech to make, made it, and I am sure we all thought it was a very brilliant speech, although some considerable part of it had no very close reference to the clause. When the right rev. Prelate who has just sat down said it was necessary to turn "may" into "shall" in order to secure the existence of these schools, he seemed to imply that if "may" does not mean "shall" there was some doubt in individual cases whether the school would become subject to the four-fifths facilities. I have only to repeat what was said by my right hon. friend in another place, that we do distinctly intend and desire that under this clause these special facilities shall invariably be given whenever the conditions are fulfilled. As to the fulfilment of the conditions I say nothing, because on those conditions noble Lords opposite have Amendments later on in the clause; but, if the conditions are fulfilled, we say that it is certain under our arrangement that a school in which this special instruction can be given every day in the the week and be given by the teacher can exist. That, of course, is the point at issue at this moment.

What is it that will be done under the Bill as it stands? After the necessary conditions have been observed and it is found that the parents of four-fifths of the children attending the school desire special religious instruction, and that the minority of the children can be provided for elsewhere, if no agreement can be come to, an appeal is provided to the Board of Education, and the Board may make an order that the school should be a four-fifths school, or, in certain cases, a State-aided school. The province of the Board of Education, owing to the fact that the word in the clause is "may" and not "shall," is to consider the whole matter in a friendly spirit with the local education authority. They can only do that, I may remind your Lordships, owing to the fact that the word "may" is in the clause. If the word "shall" were inserted the Board would have no option but immediately to make the order on the local authority; and it is just because we know the kind of influence which the Board of Education and its excellent officers and administrators have with the local education authorities, and that an authority which makes difficulties is infinitely more likely to be brought to a settlement by these methods, that we inserted "may" in the first instance instead of "shall."

My noble friend behind me pointed out that this mistrust of the local authorities comes strangely from noble Lords opposite. I, too, have often been surprised at it. They regard these great local authorities as monsters, yet noble Lords opposite are the Frankensteins to whom the creation of those monsters is due. It is necessary to remember that local authorities have, perhaps not always within a perfectly wise limit, a very considerable amount of *amour propre* in these matters, and, dealing with facts as they are, it certainly does seem to me infinitely more sensible and more appropriate first to approach them, having given them these great educational powers, as was done by noble Lords opposite, in a friendly and conciliatory spirit.

The noble Marquess who supported the Amendment seemed to imply that if a *mandamus* were necessary to enforce the order on the local authority it would be at once granted by the Court on the application of the Board of Education. As I have had occasion before to observe, I am not a lawyer, and, therefore, I regret more the absence of my noble and learned friend the Lord Chancellor; but it is news to me that a Government Department can go into Court and get a *mandamus* as easily as a man might walk into a shop and buy an umbrella. I should have thought that the Court would have to be fully satisfied that the local authority were refusing to carry out what was really a statutory obligation. The noble Marquess opposite (Lord Londonderry), as President of the Board of Education, had experience in the case of Wales. Those attempts to apply a *mandamus* met with such little success that a special Act of Parliament had to be passed to deal with the local authorities. If some future Board of Education were placed in a similar position by the adoption of the Amendment, I am afraid that they, too, would have to go to Parliament for fresh legislation.

I do not think it would be desirable, or that it would meet your Lordships' wishes, if I were to do more than just mention the further alternative of the State-aided schools. They arise under Clause 5, but, in stating the whole case, it is necessary to refer to those schools. I do not know whether it has occurred to your Lordships, but it certainly has occurred to me, that there might be some, and not an inconsiderable number of cases, where the schools would prefer to be State-aided schools. After all, Amendments have been moved in the other House to provide that any school that liked to stand out should have the power to do so. If that is so, I should think it is very possible that, where there is a certain amount of money available, some schools might prefer to stand out, if the Board of Education agreed, getting the Government grants but not being subject to the control of the local authority. Therefore there are some cases in which it would not be a hardship, and noble Lords must remember that in instituting one of these State-aided schools the Board of Education will have regard to all the circumstances of the case. If it is obvious that the school is too poor to be carried on as a State-aided school, or if, for any other reason, it is inconvenient or impossible for it to be so carried on, and the Board of Education think this clause ought to operate, in that event they would undoubtedly have recourse to the legal process.

The point in this discussion is really one of methods rather than of aims. It is our absolute desire that these schools shall be able to retain the religious atmosphere upon which, as we know, the Roman Catholic Church, and also, I frankly admit, a considerable body of the Church of England, set so much store. That is our intention. We believe that our plan, intricate though it may seem at first sight, carries it out better than the simple substitution of the word "shall" for the word "may." Your Lordships must remember that if "shall" is substituted for "may" State-aided schools must inevitably go, because it is impossible to combine that discretion of the Board of Education with the absolute mandate which is to be laid on the local authority in all circumstances.

There is one further point which has not been alluded to in this debate. If you leave in the word "shall," every such school which can prove that it has got the four-fifths and has satisfied the other conditions imposed by the clause must be taken over and carried on in this way. That would prevent, in cases where there are a considerable number of denominational schools, an arrangement being arrived at by which one or two of the principal schools should be allowed to be carried on under this new condition.

*The Marquess of **LANSDOWNE**: Will the noble Earl tell us whether there is any answer to the question put by the noble Viscount Lord St. Aldwyn as to why the word "shall" occurs in Clause 3, and why the word "may" is insisted upon in Clause 4?

*The Earl of **CREWE**: My impression is that the word "shall" was inserted in Clause 3 because it is simply a matter of contract between two parties. I am inclined to think, at first sight, that the necessity to take over all schools might possibly lay that clause open to the same objection in the matter of the *mandamus* that we think Clause 4 is open to.

*Viscount **ST. ALDWYN** thought that the demand that ordinary facilities should be granted was not simply a matter of contract between two parties, as the local authority had no option in the matter.

Lord **DAVEY** opposed the Amendment. He said it was quite clear that under Clause 3 the facilities were given as part of the arrangement by which the local authority acquired the school, and, therefore, they must fulfil their contract, and in that case "shall" was perfectly proper. In his humble judgment, to introduce "shall" instead of "may" in the clause now under discussion would dislocate the whole scheme, because the clause was that the local authority should, in the first place, exercise their discretion, and then there should be an appeal to the Board of Education, who might take one of two courses.

On question, "Whether the word 'may' shall stand part of the clause," their Lordships divided:—Contents, 46; Not Contents, 157.

CONTENTS.

York, L. Abp.

Crewe, E. (*L. President.*)
Ripon, M. (*L. Privy Seal.*)

Northampton, M.

Beauchamp, E.
Carrington, E.

Chesterfield, E.
Chichester, E.
Craven, E.
Durham, E.

Portsmouth, E.
Temple, E.

Althorpe, V. (*L. Chamberlain.*)

Hereford, L. Bp.
St. Asaph, L. Bp.

Aberdare, L.
Boston, L.
Colebrooke, L.
Courteney of Penwith. L.
Davey, L.
Denman, L. [*Teller.*]

Elgin, L. (*E. Elgin and Kincardine.*)
Farrer, L.
Fitzmaurice, L.
Grimthorpe, L.
Hamilton of Dalzell, L.
Haversham, L.
Headley, L.
Hemphill, L.
Joicey, L.
Loch, L.
Monk Bretton, L.
Nunburnholme, L.
O'Hagan, L.

Pirrie, L.
Reay, L.
Ribblesdale, L. [*Teller.*]
Sandhurst, L.
Saye and Sele, L.
Shuttleworth, L.
Stanley of Alderley, L.
Tenterden, L.
Tweedmouth, L.
Wandsworth, L.
Weardale, L.
Welby, L.

NOT-CONTENTS.

Canterbury, L. Abp.

Norfolk, D. (*E. Marshal.*)
Devonshire, D.
Leeds, D.
Newcastle, D.
Northumberland, D.
Wellington, D.

Abergavenny, M.
Ailesbury, M.
Bath, M.
Camden, M.
Hertford, M.
Lansdowne, M.
Salisbury, M.
Winchester, M.

Abingdon, E.
Amherst, E.
Ashburnham, E.
Brownlow, E.
Cadogan, E.
Camperdown, E.
Carnwath, E.
Cathcart, E.
Cawdor, E.
Clarendon, E.
Dartmouth, E.
Darnley, E.
Dartrey, E.
De La Warr, E.
Denbigh, E.
Devon, E.
Doncaster, E. (*E. Buccleuch and Queensberry.*)
Egerton, E.
Eldon, E.
Feversham, E.
Guilford, E.
Halsbury, E.
Hardwicke, E.
Huntingdon, E.
Jersey, E.
Lathom, E.
Lindsey, E.
Londesborough, E.
Lonsdale E.
Lucan. E.
Malmesbury. E.
Nelson, E.
Northesk, E.
Onslow. E.
Orford, E.
Pembroke and Montgomery, E.
Plymouth, E.

Radnor, E.
Saint Germans, E.
Scarbrough, E.
Shaftesbury, E.
Shrewsbury, E.
Stamford, E.
Vane, E. (*M. Londonderry.*)
Waldegrave, E. [*Teller.*]
Westmeath, E.

Churchill, V. [*Teller.*]
Cobham, V.
Colville of Culross, V.
Falkland, V.
Falmouth, V.
Goschen, V.
Halifax, V.
Hill, V.
Hutchinson, V. (*E. Donoughmore.*)
Iveagh, V.
Knutsford, V.
Llandaff, V.
Ridley, V.
St. Aldwyn, V.

Bath and Wells, L. Bp.
Birmingham, L. Bp.
Bristol, L. Bp.
Chester, L. Bp.
Lincoln, L. Bp.
London, L. Bp.
Norwich, L. Bp.
Oxford, L. Bp.
St. David's L. Bp.
Salisbury, L. Bp.
Southwark, L. Bp.
Wakefield, L. Bp.
Winchester, L. Bp.

Addington, L.
Alington, L.
Ampthill, L.
Armstrong, L.
Ashbourne, L.
Atkinson, L.
Avebury, L.
Barrymore, L.
Bateman, L.
Belhaven and Stenton, L.
Biddulph, L.
Blythswood, L.
Bolton, L.
Borthwick, L.
Brassey, L.
Braye, L.

Brodrick, L. (*V. Midleton.*)
Burton, L.
Calthorpe, L.
Carysfort, L. (*E. Carysfort.*)
Chaworth, L. (*E. Meath.*)
Clanwilliam, L. (*E. Clanwilliam.*)
Clements, L. (*E. Leitrim.*)
Clifford of Chudleigh, L.
Clonbrock, L.
Colchester, L.
De Freyne, L.
de Ros, L.
Deramore, L.
Digby, L.
Douglas, L. (*E. Home.*)
Dunalley, L.
Estcourt, L.
Fingall, L. (*E. Fingall.*)
Forester, L.
Gage, L. (*V. Gage.*)
Gerard, L.
Gormanston, L. (*V. Gormanston.*)
Hare, L. (*E. Listowel.*)
Hastings, L.
Heneage, L.
Howard of Glossop, L.
Kelvin, L.
Kenmare, L. (*E. Kenmare.*)
Kilmarnock, L. (*E. Erroll.*)
Kinnaird, L.
Knaresborough, L.
Lawrence, L.
Leith of Fyvie, L.
Lovat, L.
Macnaghten, L.
Manners, L.
Middleton, L.
Moncrieff, L.
Mowbray, L.
North, L.
Ormathwaite, L.
Ponsonby, L. (*E. Bessborough.*)
Ravensworth, L.
Redesdale, L.
Ritchie of Dundee, L.
Sandys, L.
Seaton, L.
Shute, L. (*V. Barrington.*)
Silchester, L. (*E. Longford.*)
Stanmore, L.
Teynham, L.
Waleran, L.
Wolverton, L.
Zouche of Haryngworth, L.

On Question, the word "shall" inserted.

VISCOUNT LLANDAFF, in moving to insert after "1870" the words, "and in accordance with the trust deed, if any, of the school," said that this was almost a formal Amendment, its effect being that the religious instruction under Clause 4 should be in accordance with the trust deed of the school; he presumed that that was what was really intended by the clause.

Amendment moved—

"In page 3, line 24, after the word '1870,' to insert the words 'and in accordance with the trust deed, if any, of the school,' and to leave out 'any,' and insert 'every.'"—(*Viscount Llandaff.*)

*THE EARL OF CREWE: The effect of this Amendment, I take it, is merely to bring the law into conformity with what will be done by this Bill when it becomes an Act. As the matter stands at present, the Amendment is not operative. What is known as the Kenyon-Slaney Clause in the Act of 1902 placed the religious instruction in voluntary schools in the hands of the managers. That clause is repealed by this Bill, and the effect, I take it, will be to cause a reversion to the state of things under which religious instruction will be given subject to the provisions of the trust deed, if any, of the school. I have no doubt that from the point of view of the noble Viscount and to those who belong to the Roman Catholic Church that would be an entirely satisfactory arrangement. At the same time, so far as Church of England schools are concerned, I believe it has been the practice, even before the Act of 1902, to treat some quite old trust deeds in a rather rational manner by ignoring practically obsolete provisions contained in them. I see that my noble friend, Lord Barnard, is not in the House; therefore I am able to speak about trusts with more confidence than I could if he were present. If the noble Viscount is content to leave out these words, I believe the Bill as we propose to carry it without them will entirely meet his wishes.

VISCOUNT LLANDAFF reminded the noble Earl that the managers of the transferred schools would be managers appointed by the local education authorities, and therefore might possibly not be in sympathy with the religious facilities demanded in the schools. His proposal was simply an indication to them that the religious facilities which they were to afford under Clause 4 must be of the sort contemplated by the trust deeds of the school.

*THE EARL OF CREWE: The managers will have no control over religious teaching under our Bill.

VISCOUNT LLANDAFF: They will have the appointment of the teacher, which is a considerable control over the religious instruction.

*THE EARL OF CREWE: That is another matter.

VISCOUNT LLANDAFF: Unless Amendments are introduced, they will have the appointment of the teacher and the control of the whole curriculum of the school.

*THE EARL OF CREWE: If the noble Viscount adheres to his desire to insert these words, I make no objection at this stage, subject to any correction I may have to make later.

On Question, Amendment agreed to.

*THE EARL OF JERSEY in moving the omission of the words "in an urban area," said that circumstances were somewhat altered since he gave notice of this Amendment, the Bishop of Hereford having provided for single school parishes. Consequently the only people who would not be able to get extended facilities would apparently be those who lived in urban districts of under 5,000 population. His Amendment was intended to cover rural parishes.

*THE EARL OF CREWE: I do not want to interrupt the noble Earl, but I am bound to point out that he is under a misapprehension. The Amendment of the Bishop of Hereford does not provide for the existence in those areas of schools which come under Clause 4.

*THE EARL OF JERSEY said that, under those circumstances, he would move his Amendment with all the greater confidence. His object was that there should be no difference between urban and rural districts. Why should not the views of people who lived in a rural district be considered as well as those of the inhabitants of an urban district of over 5,000 population? This, after all, was a question affecting the parents; it was not a matter for the owners of the school. The point was whether parents, wherever they might live, should not have the right, if they were in a majority, to be able to obtain for their children the religious instruction under this clause. He begged to move.

Amendment moved—

"In page 3, line 24, to leave out the words 'in an urban area.'"—(*The Earl of Jersey*).

THE MARQUESS OF LONDONDERRY said that, as he had an Amendment of a similar character on the Notice Paper, it might be convenient that he should give his reasons for supporting the Amendment now proposed instead of moving his own. The Lord President of the Council had stated that His Majesty's Opposition had been battering the Education Bill. He (the Marquess of Londonderry) did not accept nor did he entirely repudiate that statement. The Bill might have been battered, but it had certainly been battered with advantage. Clause 1 had been amended for the good. Beyond all doubt the date fixed for the Bill to come into operation was absolutely indefensible, and it would be probably admitted that Clause 4 without the proposed Amendment was as indefensible as the other provisions to which he had alluded were in their original form. The exclusion of the words "in an urban area" was one of the most important Amendments which could be brought forward, and he would be interested to hear the reasons for objecting to their deletion.

The explanations of Ministers with regard to the insertion of the words were very clear. They had declared that in certain cases denominational schools, denominational teachers, and denominational education were absolutely indispensable. That was admitted by the introduction of Clause 4. The Government had also laid down the conditions of such schools as were enumerated in the clause, and had virtually claimed that no such school could be established in derogation of the rights, conscientious or otherwise, of any minority attending those schools. That was laid down by the Bill as it stood. Therefore their Lordships were justified in drawing the conclusion that if the conditions laid down were satisfied, no such school ought to be excluded from the benefits of Clause 4. If the premises he had put forward were correct, the position taken up by the Government in objecting to the clause was absolutely absurd, and it was rendered the more absurd by the various reasons which had been given by different members of the Government for the construction of the clause. The Parliamentary Secretary to the Board of Education had stated that the exclusion of rural districts was due to the incapacity of the rural voter to exercise the ballot as required by the clause.

*THE EARL OF CREWE: Is the noble Marquess quoting my hon. friend's words?

THE MARQUESS OF LONDONDERRY said he was quoting not the actual words, but the construction which he placed upon them, and if the noble Earl disagreed with that construction he would be glad to quote the exact words afterwards. He did not know what opinion the rural voter would have upon that view of the Parliamentary Secretary, but undoubtedly the description was not one of a complimentary or satisfactory character to the rural voter, and certainly no such slur had ever been cast upon him by any Member on the Opposition side of the House. But the curious thing was that this alleged incapacity of the rural elector did not come into existence until some considerable time after the Bill had been introduced. Therefore the clause was not originally founded on that ground, and it might be well if the noble Earl would give the real reasons why the Board of Education were opposed to the exclusion of the words "in an urban area" from the clause. It was almost impossible to reconcile speeches of various members of the Government not only one with another, but also with their interpretation of the Bill as presented to their Lordships' House. Mr. Birrell's explanation of the ground of exclusion was of a totally different character from that of Mr. Lough, his view being that the question of whether there was alternative accommodation for the children of the minority under paragraph (*b*) of the clause would be very difficult to decide in rural districts. But was that really the reason for which rural districts were excluded from the clause? If so, great as was his admiration of Mr. Birrell's ability and administrative power, he could only say that the right hon. Gentleman must be to a certain extent ignorant of how the Act would be carried out in the various districts. Just as many questions would arise in connection with the giving of facilities in urban districts as in rural districts. It was frequently extremely difficult for children in urban districts to find an accessible school, since, owing to causes which he had already enumerated to the Committee more than once, it was often even more difficult to transport children in an urban district than in a rural district. The explanation of Mr. Birrell was as unacceptable as that of Mr. Lough. Then the Solicitor-General had given an explanation totally different from the two already referred to, but in all probability the real one. The hon. and learned Gentlemen had stated that the clause was simply a compromise, and there were bound to be in it things in themselves indefensible but essential to the compromise. Personally he could not help thinking that that was the true reason. No doubt the restrictions were indefensible, but they were the price demanded by the Nonconformist extremists in the Cabinet and in the Party for allowing the clause to appear at all. Those who had studied the character and the opinions of the various members of the Cabinet could not help knowing that there were certain differences of opinion amongst them. Turning back to the speech of the Minister of Education on the introduction of the Bill, he could find there no denunciation of the denominational schools or any declared intention of their abolition.

But whatever the differences of opinion might be, the Cabinet as a whole was undoubtedly responsible for the clause as it stood. What was the clause intended to do? As far as he could gather it was a compromise between the two parties in the Cabinet, intended to meet as nearly as possible the needs of the Jews and the Roman Catholics and no others, while every effort was made to prevent any benefit accruing to the Church of England. He had had put into his hands since coming to the House an expression of opinion from a Roman Catholic with regard to certain remarks which had fallen from Lord Fitzmaurice, it being stated that the noble Lord implied that it was not, if he did not deny that Clause 4 was, for the Roman Catholics. That statement, however, like the other statements to which he had referred, had been contradicted by another member of the Government, because Mr. Asquith in the House of Commons on May 10th, stated—

> "It is said that this clause was put in with a special view to meet the case of the Roman Catholics. Who denies it? I do not hesitate for a moment to face the fact."†

LORD FITZMAURICE: I said that it was not for the Roman Catholics only

THE MARQUESS OF LONDONDERRY said that that emphasised his point, his contention being that the compromise in the Cabinet was designed to meet the views of those who desired to abolish denominational education, and yet at the same time not to cause an open rupture with those who were in favour of denominational schools. For that purpose exceptions were made in favour of the Roman Catholic and Jewish schools, while at the same time the Church schools were to be practically abolished. Everybody with acquaintance with these matters knew full well that Jewish and Catholic schools obtained to the greater extent in large urban areas, whereas the Church of England schools were in greatest force in rural areas, so that by excluding rural areas by the fixing of the population limit of 5,000 it was undoubtedly intended that those rural schools should be abolished. He did not say that it was not a clever move, but at any rate it was one that they could see through.

Then why was the figure of 5,000 taken? There were a great number of so-called rural districts which largely exceeded the 5,000 limit; in fact he believed that through not taking advantage of provisions in various Local Government Acts there were districts called rural which contained a population of considerably over 5,000. In the county of Durham, which he knew very well, there were seven parishes which satisfied in every way the conditions laid down in Clause 4, the population being over 5,000, and there being more than one school in the area, and yet because in a technical sense those parishes were situated in a rural and not in an urban area the children would be deprived of the privileges conferred by the clause. If that was the state of things in one county similar instances could doubtless be given from the rest of the country. Why were the children in rural districts to be deprived of the education which their parents desired them to receive? Why was it imagined that their consciences were different from those of children in urban districts? He would like the Lord President of the Council to explain why this differentiation was made. On behalf of those interested in religious education, he desired an answer to be given as to why the number had been fixed at 5,000, and why rural districts were excluded, unless it was because they were the stronghold of voluntary schools.

---

† See (4) *Debates*, clvi., 1525.

*LORD FITZMAURICE said that before replying specifically to the questions which had been put he desired to point out to the noble Marquess that he could not accept the broad premise which he had not only laid down but suggested had been accepted by the Government. If he understood the noble Marquess correctly he stated that the Government had admitted that denominational schools were necessary everywhere.

THE MARQUESS OF LONDONDERRY: Under this clause.

*LORD FITZMAURICE said he understood the noble Marquess to lay down a somewhat broader proposition. What he wanted to point out was that this clause was an exception inserted in the Bill chiefly out of deference to the historic claims of great denominations which had built schools in the past, and partly out of concession to the views of the Party opposite, because in these cases, however great the majorities might be in the other House, in order to place a Bill on the Statute-book there must be a certain amount of give and take between political Parties unless there was to be endless controversy. The religious instruction which, not only in regard to this clause, but speaking generally in regard to the Bill as a whole, the Government admitted was desirable, although they themselves did not make it compulsory—though the Committee had since practically made some religious instruction compulsory in every school—the religious instruction which the Government considered desirable, and which it still believed was accepted as satisfactory by the great bulk of the population of the country, was that which, broadly speaking, was known sometimes by the name of undenominational, sometimes by the name of unsectarian, and sometimes by the general description of Christian education—a phrase which had been inserted in the schemes of nearly all secondary schools, and in schemes which in many cases were drawn up and passed into law while the noble Marquess himself was at the head of the Education Department. That was the broad principle of the Bill, but, for the reasons he had already stated, the Government had admitted that there were cases in which they were quite willing not only to consent to but to encourage denominational education.

They were asked why, in the first place, they limited these facilities to urban areas. His reply was that the circumstances of urban areas and of rural districts differed materially. It was idle to say that there was no difference between the educational circumstances of town and country merely because in both there was an institution known by the same name, namely, a public elementary school. All legislation in regard to every branch of local government reposed upon a broad distinction between the urban and the rural area, and one of the most marked distinctions between the educational circumstances of an average town and those of the country district adjoining was that in nine cases out of ten, or in an even larger proportion of cases, there was in the town a choice of schools, while in the country districts there was only a single school. Only the other day the Committee were discussing an important Amendment, moved by the Bishop of Hereford upon another clause, and supported by the Opposition, which also was based upon the distinction between the rural district and the town. That being so, the Government had applied this exception to the towns because there were in nearly every town numerous schools, and generally a Church school at one end of the town, and a council school at the other. They proposed this exceptional clause because they wished to be practical. They were not suggesting the clause in order to deceive Parliament; they were not putting something forward which they knew in practice would be unworkable; but they believed that in every case where there was a denominational school in a town that school would by this clause be preserved under slightly altered circumstances. The Government were perfectly aware that with many of their most trusted political supporters and allies the proposal was unpopular, but they were not afraid to face that unpopularity, believing as they did that they were doing what might be called an act of justice, without inflicting any injustice or disability upon anybody else.

He would take the case of a town which for many years he had the honour to represent in Parliament. Swindon was a great educational centre, with an active population devoted to the cause of education. It was a town which in popular parlance might be called a school-board town. The great bulk of the schools were old board schools; there was an undenominational secondary school established by the county council and borough council together, and there was a higher elementary school established by the borough council. The bulk of the population were devoted to that system of schools which with some assistance from the county council they had established themselves. But there were in that town a Roman Catholic school and a Church of England school. Would it not have been an act of injustice to those two schools, when practically every child in the town could go to a council school if it chose, if the Government had insisted upon calling upon the Roman Catholic school and the Church school to put up their shutters? He for one would not have been a party to any such action, and he believed that this clause would cause the schools in that town to work with all the more zeal because, taking advantage of the natural situation and of the plain and obvious facts of the case, they preserved at one end of the town a very efficient Roman Catholic school and at the other an equally efficient Church of England school. But he would contrast this state of things with that which obtained in the rural district around—a vast and rather melancholy area of small villages—where by a policy which may have been successful, but which he thought had not been altogether wise, it had been the object, too successfully attained, of the Church of England entirely to sieze and keep the whole of the accommodation of the district. No doubt here and there might be found a struggling British school, or a council school quite recently handed over by the managers, most of whom were old-fashioned country gentlemen of Whig principles mostly extinct and a certain number of Nonconformists. If the Committee extended, as the noble Marquess invited them to do, these privileges to the rural districts, he knew what the Liberals and Nonconformists in that district would say. They would say, "'Will you walk into my parlour?' said the spider to the fly." It was only natural on the part of the Church of England that they should desire to have these schools, and even to have a monopoly; from their point of view he did not blame them, but what he contended was that if these facilities were extended to rural districts in every case where there was within nominal reach a struggling British school or a council school, the Church of England with its great wealth, ability, and sincerity would claim that the privileges of this clause should apply to them. The struggling Liberals and Dissenters in those districts would have to fight for dear life in regard to every school, and they would gradually find coming back upon them the old denominational schools, monopolising the whole of the neighbourhood, a system to check and limit, which was the principal object of this Bill. If that provision was taken away he was absolutely certain that the Bill would lose the greater part of its charm. [OPPOSITION laughter.] Yes, he was speaking perfectly straightforwardly; the great charm of this Bill was that it would give to the rural districts of England for the first time some chance of having a real system of national education under the control of the people. That was a charm in the eyes of the inhabitants of these rural districts, and in his judgment they were thoroughly justified in so considering it. Turning to the smaller question of the 5,000 limit, he thought a great deal of unnecessary heat had been imported into the discussions in the Press and elsewhere upon this point. It seemed to be the impression of some persons that behind this figure of 5,000 there was some dark design, some plot that could hardly be avowed. He had attempted to explain on the Second Reading of the Bill that it was simply a matter of detail of local administration involving no question of principle at all. It constantly happened when Bills relating to local government were under discussion, it signified not whether they were educational or local government Bills, that the Committee found that there lay upon the border line between town and country as known to the law—that was to say, between the borough and the rural district—a certain number of communities concerning which it was very difficult to say, whatever they might be in the eye of the law, whether they really corresponded in fact with the definition of town or country. If he wanted to prove his case out of the mouth of a friendly critic, who held opinions different from his own, he could do so by an article which appeared in *The Times* in September last, where, commenting upon a very interesting report upon public health matters by one of the inspectors of the Local Government Board, it was pointed out that there were a great number of these so-called urban districts, little places with a population of about 5,000, which really were not urban districts at all, and which the law ought to treat as rural districts. That article, after criticising the expenditure of some of these places, said—

> "The report of the inspectors strongly urges on county councils the necessity of caution in the subdivision of districts and expresses a very intelligible fear that this process has already been carried too far."

That was, the process of making these small rural districts into urban districts, and giving them the rights and privileges of urban districts; and the article finished up by saying—

> "These so-called urban districts are inhabited by what it would be perfectly correct to describe as rural populations."

This clause being intended to draw a line between town and country, all that was meant by the 5,000 limit was to take those populations which were in fact rural, though urban in law, and to place them on the rural side of the account in order that the legislation on this subject should correspond with the facts of the case rather than with arbitrary legal definitions. At the same time this was obviously not a question of principle, and if at a later stage noble Lords really thought it desirable to draw a hard and fast distinction between town and country and to place all urban communities, whether large or small, on one side of the line, and all rural communities upon the other side of the line, it ought not to be found impossible or difficult for the two sides of the House to come to an agreement. It so happened that in his own county there were a considerable number of these small places, and all he was anxious to assure the Committee was that the exception in regard to small places below the 5,000 limit was purely one of administration in regard to which the Government might perhaps be able to meet the views of noble Lords opposite. But the important question in regard to which agreement would be far more difficult would arise on the larger proposition of the noble Marquess that there should be no distinction between town and country. On that he was afraid he could hold out no hope of acceptance.

LORD ZOUCHE OF HARYNGWORTH asked what was meant by the expression "extended facilities." It seemed to be very much governed by the preceding clause, Clauses 3 and 4 both relating to what was to be done in the case of transferred schools. Under Clause 3, if certain representations were made under certain conditions, it was laid down in the mandatory part of the clause that ordinary facilities should be given to transferred schools. As he took it, all the claim that the transferred schools made was not merely to have facilities afforded, but to have them continued. For the purposes of his argument he was assuming that the schools were Church schools, and they were merely asking to be able to continue the same denominational education as before. Clause 3 laid down that if certain conditions were observed, the local authority should——

*THE EARL OF CREWE: Is the noble Lord addressing himself to the Amendment to omit the words "in an urban area?"

LORD ZOUCHE OF HARYNGWORTH: Yes, I was coming to that.

*THE EARL OF CREWE: I merely wished to say that at present I do not see the connection.

LORD ZOUCHE OF HARYNGWORTH said his point was that if they were to extend these denominational facilities to transferred schools under Clause 3, why should they take away the possibility of transferred schools enjoying the same facilities under other conditions when they simply related to schools in an urban area? It seemed to him that practically speaking this clause was largely governed in principle if not in detail by Clause 3. Clause 4 might be right or it might be wrong, but if it was right in Clause 4 that, following the lines, although perhaps not the actual words of Clause 3, religious denominational facilities might be continued to these transferred schools, why were they to be forbidden simply because the schools did not happen to be in an urban area? He therefore asked what was the exact meaning of "extended facilities" under Clause 4, it being a different expression from the "ordinary facilities" previously referred to. As far as he could understand, they meant the continuance of facilities for denominational teaching whether the schools happened to be in an urban area or in a rural area. He thought however, the Committee had some difficulty in understanding why, if it was a case of conscience, a distinction should be drawn on such grounds.

VISCOUNT HALIFAX said that as the noble Lord had stated that Clause 4 was an exception to the general system and that the Committee should not graft an exception upon an exception, he would ask why if an exception was just in one case it was not just in all similar cases. If it was right to respect the consciences of Church people who lived in towns, why was it not equally right to respect their consciences if they lived in the country? If they lived in a town, did their consciences acquire rights different from those acquired if they lived in the country? He asked their Lordships to consider what would happen if this clause were not extended to rural districts. In a district with which he was very well acquainted there were one or two very good Church schools which he had known for the last forty years. There had always been admirable reports from the Education Department, and he had never known a single complaint to be made as to the management of those schools. Within a mile and a half there were two council schools, one very good and the other less good. It constantly happened that children in the neighbourhood of those council schools preferred, for reasons of their own, to go to the Church schools. If this clause were not extended to rural districts, those Church schools would be exterminated, and the arrangements which had satisfied the inhabitants of the district for the last fifty years would be completely upset. Such a provision would really be extremely harsh and unfair. Lest it should be supposed that he was speaking from a Party point of view, he would quote from a letter by Mrs. Humphry Ward, who he believed belonged to the Unitarian body. In regard to the whole of the questions underlying the present Bill, Mrs. Humphry Ward, in a letter to *The Times* at the beginning of the year, said—

> "The supreme need of the present time is to prevent a much more profound injustice to the Church schools and to the Church feeling of the country being done than was done."—

he did not admit that it was—

"by the Act of 1902."

And she went on to say—

> "The proposals as I understand them outlined by Mr. Birrell and Mr. Lloyd-George appear to me grotesque in their unfairness."

But it was not only Mrs. Humphry Ward who said that. In one of his last speeches in the House of Commons, Mr. Birrell said that the Bill provided that every person who desired that kind of instruction should find an undenominational school in every village. But if it was right that those who cared for undenominational teaching should find an undenominational school in every village, why was it not equally right that those who cared for denominational teaching should find a denominational school in every village. He earnestly asked that this great injustice should not be done to the village schools.

Let the Committee consider what an enormous increase would fall upon the rates if this clause were not extended. Probably some proportion of the Church schools would not be transferred and the local authority would have to provide schools which were absolutely unnecessary, simply for the sake of this assumed logical symmetry, for the sake of supplying something not asked for by the people. He was satisfied that it was quite possible to do something in regard to education which would meet the needs of everyone. He re-echoed what had fallen from preprevious speakers. If the Nonconformists had a grievance he desired that it should be remedied, and that in single school districts they should have access to Church schools. Personally he would be perfectly willing that the £1,000,000 set aside for rent should be paid over to the Nonconformists to help them to supply their needs in single school districts, but what he would never consent to was to see the denominational schools destroyed throughout the rural districts of the country.

*THE LORD BISHOP OF HEREFORD said that in supporting the Amendment he desired to express his regret that the Committee had, by an Amendment to Clause 3, extended the ordinary facilities, so that children might receive special denominational instruction on every day of the week during school hours. He felt at the time, and he still believed, that in asking for that extension they were asking too much. They were in fact asking more than they had been in the habit of requiring hitherto in most schools. In his own diocese two mornings a week for the teaching of the Catechism and the Prayer Book were considered quite sufficient, and the best managed schools in his diocese were content with that arrangement, believing that they could give quite as good instruction as was necessary for the children on the other three days by teaching the Bible itself. He regretted the decision also because it considerably weakened the case for the present Amendment. He fully agreed with Lord Fitzmaurice that legislation should correspond with the facts of the case, and not depend on arbitrary distinctions; and his reason for supporting this Amendment was that the clause in the Bill really depended on an arbitrary distinction and was not governed by the actual facts of the case. In this connection he held that the distinction between an urban area and a rural area was an arbitrary distinction, as also was the distinction between a population just over 5,000 and a populalation just under 5,000 for this purpose, and he thought that better conditions equally effective for the purpose desired could be found. He supported the Amendment on three conditions which he thought their Lordships would consider were reasonable. The clause was confessedly exceptional, designed for the purpose of meeting certain exceptional cases, and of dealing with them in a reasonable manner. The first condition on which he supported the Amendment was that the school for which these extended facilities were demanded should be a school consisting practically of children of one denomination, that the minority of children who might happen to be in that school should be a very small minority. He therefore hoped that no attempt would be made to reduce the four-fifths provision. His second condition was that there should be another school equally accessible for the minority. They had heard a great deal about the defence of minorities in the discussions on this Bill—much more than was heard in the debates on the Bill of 1902. His third condition was—and here he ventured to speak as a member of two local authorities and also as a ratepayer—that the extended facilities should not be given unless in the opinion of the Board of Education the number of children in the neighbourhood was sufficient to maintain two efficient schools without unnecessary expenditure of public money. Those were the three conditions on which he gave his support to the Amendment. If those conditions could be fulfilled his support would be a very hearty one. The distinctions drawn in the Bill were artificial. What they really required was that the conditions should be such that they could meet the reasonable requirements of a school which was composed practically all of one denomination, and that they should be careful to inflict no injustice on a small minority. Under these circumstances he was in favour of omitting the words "in an urban area," provided that his conditions were agreed to.

THE LORD BISHOP OF BIRMINGHAM desired to make an explanation on a matter which to some of them was important. He did so now because the statement he referred to occurred in the beginning of the speech of his right rev. brother who had just spoken. To those of them who cared about denominational teaching the distinction between denominational teaching and undenominational teaching was not in the least degree identical with the distinction between teaching the Catechism and teaching the Bible. For his own part, he should not much mind if nothing but the Bible was to be taught in any elementary school. What he cared about with all his heart and all his understanding was that the Bible should be taught by reference to such definite understanding of the Christian faith as was implied in the Creed of the Church. Therefore to him the distinction between denominational and undenominational teaching was in no way identical with the distinction between teaching the Catechism and teaching the Bible.

*THE LORD BISHOP OF HREFORD asked leave to offer a word of explanation. His right rev. brother seemed to have misunderstood him, and had forgotten about the clause that they were discussing. He (the Bishop of Hereford) expressed his regret that they had passed an Amendment in Clause 3 which practically gave, as he read it, power to a denomination to go into a school and give denominational instruction to the same children every day in the week.

THE EARL OF CAMPERDOWN: I rise to a point of order. Is not the question before the Committee whether we are to omit the words "in an urban area?"

*THE LORD BISHOP OF HEREFORD: I understood that it was a question of personal explanation.

VISCOUNT GALWAY supported the Amendment, but without the hampering conditions suggested by the right rev. Prelate, on the broad lines that parents in a rural district had equal rights with those in an urban district. He was of opinion that the parents should have the fullest possible rights whether in an urban or in a rural district. It was for parents to decide what religious education they wished their children to be instructed in, and he did not see why there should be an arbitrary distinction between the parents who lived in urban districts and the parents who lived in rural districts. He was glad to observe that the Under-Secretary of State for Foreign Affairs had stated that the Government were willing to grant all the privileges in their power in urban districts to Roman Catholic and Church of England schools side by side with the board schools. He was quite willing to admit that every denomination should have equal rights.

THE EARL OF CREWE: My Lords, I think that as several questions have been addressed to me by noble Lords opposite, the Committee will pardon me if I reply. The question which noble Lords as a whole ask is really this—and it is undoubtedly one which should have an answer: "If you insert in this Bill, by sub-clause (b) Sub-section 1 of Clause 4, a provision making it a condition that there is to be public school accommodation in schools not affected by a permission given under that section for the other children attending the school, that is to say, for the minority—if you insert that, why do you want to draw a distinction between urban and rural districts?" Before I say a word on that point I should like to answer the question put to me by the noble Lord, Lord Zouche of Haryngworth as to the meaning of the words "extended facilities." Extended facilities are those given under this clause as distinguished from those facilities which we gave in the Bill as introduced under Clause 3. Under Clause 3 the facilities were for two days a week, Cowper-Temple teaching was the regular rule of the school, and the teacher was not allowed to give the teaching. Extended facilities under this clause would be special religious instruction on five days a week, no Cowper-Temple teaching at all, and the teacher might be permitted to give the teaching. That is the answer to that question.

We said that we did not find it possible to agree to give this special privilege in rural districts. The right rev. Prelate the Bishop of Birmingham was perfectly right in the view that he took of the object we had in view in introducing this clause. It is not a question of teaching the Catechism five times a week, it is a question of the whole atmosphere of the school. That is a distinction which we draw between schools which have ordinary facilities and the schools which have these extended facilities. It is in consequence of that that we draw the distinction between the urban and the rural districts.

What are the distinctions which exist between the two classes of districts? We must, of course, speak broadly, because I entirely admit that no distinction of this kind can take effect in every instance; it must leave out here and there an instance which, if you were perfectly logical, you ought to include in the privileges granted by the Bill. In the first place, we think that it is more difficult in rural districts to decide the question of alternative accommodation than it is in urban districts. That matter was explained by my right hon. friend in the House of Commons, and I entirely endorse the view that he then expressed. Noble Lords must remember that under our general law of education it is possible for a local authority to say that any school which is within three miles would satisfy the purpose under this Bill. It is quite true that a great many by-laws make the distance two miles, but it is possible it might be three. To maintain that in some of the upland districts of this country it is the same thing for a child to walk on a November or December day along some three miles of bleak road as it is for him to turn round the corner into his village school, is a proposition which is rather ridiculous. Consequently we say that although you might find technically accommodation for the child within the legal district, yet the circumstances might easily be such that a distinct hardship would be inflicted on the children of the minority.

Then we come to the point dwelt on with great force by my noble friend behind me, that is, what is the real distinction, speaking broadly, between urban and rural in this matter. I confess that, taking the conditions of rural life in some parts of England into consideration, I should be very much averse to placing upon the minority the burden of putting themselves in opposition to the will, not merely of the numerical majority but of the most important people of the parish with whom they live. I need hardly tell your Lordships that I am not one of those who take the view that it is the custom of landowners and others who hold important positions in our rural villages to tyrannise over their dependents, their tenants or their neighbours; but in many parts of England there is a certain survival of a patriarchal feeling—a kind of benevolent despotism—which expresses itself somewhat in this way. It says, "Here are these people for whom we build excellent houses; we give them regular employment; we look after them when they are ill; is it too much to ask that they should not at any rate place themselves in direct opposition to us when they disagree with us in matters of politics or religion?" It is not a question of tyranny, but it is an undoubted fact that there are many parts of England in which that tone of feeling exists.

SEVERAL NOBLE LORDS: Where?

*THE EARL OF CREWE: In many parts of England; more in the South and West than in the North where I myself live, because I am happy to think that north of the Trent a greater feeling of independence exists; but I know something of the South of England. I have property there myself and I have some knowledge of the conditions which obtain.

I will mention a further point. Some people talk, I believe, about tyrannical landlords. It is not so much the landlord, who I think is very often a man of broad ideas and who takes a wider view, but in many parts of England—not so much on your Lordships' estates as on those of many others—there exists a pernicious practice of letting cottages with farms, a practice which I think is one of the most undesirable that any landlord can follow. In these circumstances it is possible that a member of the minority is likely to be at the mercy, not of one of your Lordships, who I am certain would treat him in the most liberal spirit, but possibly of a somewhat narrow-minded man who, not exercising anything which could be called tyranny, can make things somewhat less pleasant for that member of the unpopular minority. Nobody will dispute these things. I know perfectly well that none of your Lordships will dispute that such things can and do exist in certain parts of England. That is, to my mind, the main reason for the distinction which it is necessary to draw between rural and urban in this matter. Of course I acknowledge that that distinction must be a rough one, but there are a great number of districts to which the remarks I have made apply, and it is possible to mention isolated cases of districts in which the whole conditions are almost identical with those which obtain in urban districts. I am sorry that these exceptions should exist under the rule which we have drawn, but I fear that it is entirely unavoidable. The noble Lord the Marquess of Londonderry said that in doing this we were attempting to destroy Church of England schools. I should like to know who, having heard the noble Marquess speak, would believe that as a matter of fact there are over 3,000 schools, containing over 1,000,000 children, that is to say, 57 per cent. of the average attendance in Church of England schools, situated in areas which come within the operation of Clause 4.

THE MARQUESS OF LONDONDERRY: Something like 8,000 schools are kept out of it.

*THE EARL OF CREWE: That is perfectly true. There are 8,000 schools, but not anything like half the children.

THE MARQUESS OF LONDONDERRY: There are 800,000 children kept out.

*THE EARL OF CREWE: As against 1,488,000 children who are admitted. To speak of this as destroying the Church of England schools in these circumstances appears to me to be a perfect travesty of the facts, if I am not stating it too strongly. The noble Marquess ought to have qualified his observations in that respect. The noble Lord, Viscount Halifax, said that the effect in a particular instance would be to exterminate a particular Church school. Of course, if it is to exterminate a Church school to say that it must have two days' facilities teaching and three days Cowper-Temple teaching, I admit that is undoubtedly so.

VISCOUNT HALIFAX: My point was that the teacher is not to be allowed to give religious instruction in a transferred school.

*THE EARL OF CREWE: I am sure the noble Lord, if this case is in his neighbourhood, will see that somebody gives that instruction extremely well. I do not see that this means the extinction of Church schools. I have to admit perfectly frankly that it does mean the destruction of the atmosphere, and those who value the daily atmosphere, which, remember, is to run through secular as well as religious instruction, will find that the provisions in our Bill will prevent that being done in a rural district.

The noble Lord, Viscount Galway, made an observation implying that parents in rural districts as well as in urban districts should be able to select the religious teaching for their own children. The conditions, unfortunately, make that impossible. It is very difficult in a town to have schools which suit the views of every kind of parent; in the country it is impossible. Therefore, when the noble Lord speaks of parents in this connection he can only mean by the nature of the case Church of England parents who happen to be in a particular instance in a majority. But what is to happen to the minority of parents and their interests in these districts, the noble Viscount does not tell us. I admit once more that this is somewhat a rough line to draw. It is not a logical line. I do not know any line that can be considered logical. Nothing is logical except a provision for secular education only or a provision giving facilities for every child in every school. Everything else, whether proposed by noble Lords opposite or proposed by us, would be distinctly illogical.

My Lords, all I can say is, that in our view this distinction is one that must be drawn. If the matter is to be settled in the way that we desire to settle it, we must place an undenominational school in every district within the reach of the parents who desire it.

*The Marquess of LANSDOWNE: My Lords, I will not attempt to criticise the interesting picture of English rural life which the noble Earl opposite has just drawn for our information. Its details—he will forgive me for saying so—do not appear to me absolutely correct or in accordance with the experience possessed by most of your Lordships. It might, no doubt, at one time in the history of the country, have been a correct picture, but I think that if he were to assert its correctness now, the charge would be resented not only by the owners of land and by the farmers whom he described in guarded terms as the despots in the drama, but also by the labouring population, whom he described as the victims of that despotism.

My Lords, if we do not agree with the noble Lords opposite in regard to this clause, it is because we on this side of the House regard it in an entirely different light from that in which they look at it. It has been represented to us to-night and upon other occasions as an exception, an exception grafted upon the main fabric of the Bill, an exception for which we ought to be grateful, a sort of small mercy which has been vouchsafed to us. That is not our view at all. We regard this clause as an essential and integral feature in the Bill, a feature in the absence of which we should have refused to look at this Bill at all.

What is the object of the clause? Its object is that where schools possessing what has been spoken of as a denominational atmosphere are able to fulfil certain conditions those schools should be continued. In our view these schools, when they are able to fulfil those conditions, should be continued wherever they are to be found. If we are to attempt to draw a distinction between the areas within which these extended facilities are to be granted and the areas in which they are to be refused, then I say let us have an intelligible distinction. Our complaint of the distinction drawn in the Bill is that it is a technical and arbitrary distinction. We know perfectly well that there are many rural districts which in point of character are really indistinguishable from urban districts. In our view the schools which are to be found in those districts should be given whatever advantages can be derived from this clause.

I ask your Lordships to remember that whether these schools are to be found in urban districts or in rural districts they will have to fulfil the same conditions. The same inquiry will have to be held, the same trouble taken, to ascertain whether there is a sufficient majority of children; and the same precautions taken to decide whether alternative accommodation is or is not available. The noble Earl dwelt upon the difficulty of ascertaining in rural districts whether such alternative accommodation was forthcoming or not. I should like to remind the Committee that last week when we were discussing the Amendment of the right rev. Prelate the Bishop of Hereford —an Amendment which the Committee will recollect dealt only with rural districts—the noble Earl opposite objected to the extension of the Amendment to urban districts upon the ground that it was so difficult to define a single school area in a a town. Here we have the converse argument.

***THE EARL OF CREWE:** In the one case the question was the difficulty of defining the area. In this case the difficulty I submit is that of providing accommodation for the child.

***THE MARQUESS OF LANSDOWNE:** It is a question of ascertaining whether the alternative accommodation is there or not. In all these cases we have to rely upon the education authority, and if the education authority is to be trusted to make these inquiries and to ascertain whether the requisite conditions are present or absent, I cannot see why they are not to be trusted, in dealing with this particular question, with the same amount of discretion and the same amount of opportunity of satisfying themselves in regard to the facts.

***THE MARQUESS OF RIPON:** My Lords, my noble friend was perfectly right in his opening observations. He said that there was a distinct difference of intention between the noble Lords opposite and the noble Lords on this side of the House. That is perfectly true. He went on to say that he was in favour of giving these facilities to all schools in all places. We are not of that view. The objec and intention of the Bill is to offer these facilities everywhere except in single school districts. We do not think that it is possible in single school districts to give facilities of this kind to existing schools without placing an undue restriction and burden upon those who do not agree with the denominational instruction given in those schools. Like my noble friend, I am not going to enter into controversy as to what may go on here and there in the country. I think my noble friend behind me only said what is perfectly true, that there are cases such as he has described in various parts of the country. That is not the point before us now. The point before us now is this—is the Committee prepared to give these facilities in single school districts? I quite admit it is difficult to define a single school district. I quite admit, with my noble friend behind me, that the mode in which it is attempted to define it in this Bill is a rough method, but the difference between noble Lords opposite and those on this side of the House is that they are prepared to do that in all districts which we do not think ought to be done where there is no choice of schools.

On Question, whether the words proposed to be left out shall stand part of the clause, their Lordships divided:—Contents, 44; Not-Contents, 180.

CONTENTS.

Crewe, E. (*L. President.*)
Ripon, M. (*L. Privy Seal.*)
Beauchamp, E.
Carrington, E.
Chesterfield, E.
Chichester, E.
Craven, E.
Kimberley, E.
Portsmouth, E.
Russell, E.
Temple, E.

Althorp, V. (*L. Chamberlain.*)

Aberdare, L.
Boston, L.
Brassey, L.
Colebrooke, L.
Coleridge, L.
Courtney of Penwith, L.
Denman, L. [*Teller.*]
Elgin, L. (*E. Elgin and Kincardine.*)
Eversley, L.
Farrer, L.
Fitzmaurice, L.
Glantawe, L.
Grimthorpe, L.
Hamilton of Dalzell, L.
Haversham, L.
Headley, L.
Hemphill, L.
Joicey, L.
Kinnaird, L.
Monkswell, L.
O'Hagan, L.
Pirrie, L.
Reay, L.
Ribblesdale, L. [*Teller.*]
Sandhurst, L.
Saye and Sele, L.
Sefton, L. (*E. Sefton.*)
Shuttleworth, L.
Tweedmouth, L.
Wandsworth, L.
Weardale, L.
Welby, L.

NOT-CONTENTS.

Canterbury, L. Abp.

Norfolk, D. (*E. Marshal.*)
Bedford, D.
Devonshire, D.
Leeds, D.
Marlborough, D.
Newcastle, D.
Northumberland, D.
Rutland, D.
Wellington, D

Ailesbury, M.
Bath, M.
Bute, M.

Camden, M.
Hertford, M.
Lansdowne, M.
Salisbury, M.
Winchester, M.

Abingdon, E.
Ashburnham, E.
Brownlow, E.
Cadogan, E.
Camperdown, E.
Carnwath, E.
Cathcart, E.
Cawdor, E.
Clarendon, E.
Dartmouth, E.
Darnley, E.
Dartrey, E.
De La Warr, E.
Denbigh, E.
Derby, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Eldon, E.
Feversham, E.
Guilford, E.
Halsbury, E.
Hardwicke, E.
Huntingdon, E.
Ilchester, E.
Jersey, E.
Kilmorey, E.
Lathom, E.
Lindsey, E.
Londesborough, E.
Lonsdale, E.
Malmesbury, E.

Mar and Kellie, L.
Morley, E.
Nelson, E.
Northbrook, E.
Northesk, E.
Onslow, E.
Orford, E.
Pembroke and Montgomery, E.
Plymouth, E.
Radnor, E.
Saint Germans, E.
Scarbrough, E.
Shaftesbury, E.
Shrewsbury, E.
Stamford, E.
Stanhope, E.
Vane, E. (*M. Londonderry.*)
Waldegrave, E. [*Teller.*]
Westmeath, E.
Westmorland, E.

Yarborough, E.

Churchill, V. [*Teller.*]
Colville of Culross, V.
Cross, V.
Falkland, V.
Falmouth, V.
Goschen, V.
Halifax, V.
Hill, V.
Hutchinson, V. (*E. Donoughmore.*)
Iveagh, V.
Llandaff, V.
Ridley, V.
St. Aldwyn, V.

Bangor, L. Bp.
Bath and Wells, L. Bp.
Birmingham, L. Bp.
Bristol, L. Bp.
Chester, L. Bp.
Chichester, L. Bp.
Hereford, L. Bp.
Lincoln, L. Bp.
London, L. Bp.
Norwich, L. Bp.
Oxford, L. Bp.
St. Asaph's, L. Bp.
St. David's, L. Bp.
Salisbury, L. Bp.
Southwark, L. Bp.
Winchester, L. Bp.

Abinger, L.
Addington, L.
Alington, L.
Ampthill, L.
Armstrong, L.
Ashbourne, L.
Atkinson, L.
Barnard, L.
Barrymore, L.
Belhaven and Stenton, L.
Blythswood, L.
Bolton, L.
Borthwick, L.
Braye, L.
Brougham and Vaux, L.
Burton, L.
Carysfort, L. (*E. Carysfort.*)
Cheylesmore, L.
Clements, L. (*E. Leitrim.*)
Clifford of Chudleigh, L.
Colchester, L.
Dawnay, L. (*V. Downe.*)
De Freyne, L.
de Ros, L.
Deramore, L.
Digby, L.

Douglas, L. (*E. Home.*)
Dunalley, L.
Estcourt, L.
Fingall, L. (*E. Fingall.*)
Forester, L.
Gage, L. (*V. Gage.*)
Gormanston, L. (*V. Gormanston.*)
Harris, L.
Hastings, L.
Heneage, L.
Herries, L.
Howard of Glossop, L.
Kenmare L. (*E. Kenmare.*)
Kenyon, L.
Kilmarnock, L. (*E. Erroll.*)
Kintore, L. (*E. Kintore.*)
Knaresborough, L.
Lawrence, L.
Leigh, L.
Leith of Fyvie, L.
Lovat, L.
Lurgan, L.
Macnaghten, L.
Manners, L.
Methuen, L.
Middleton, L.
Monckton, L. (*V. Galway.*)
Monk Bretton, L.
Mostyn, L.
Mowbray, L.
Napier, L.
North, L.
Northbourne, L.
Northcliffe, L.
Oranmore and Browne, L
Ormathwaite, L.
Ponsonby, L. (*E. Bessborough.*)
Ranfurly, L. (*E. Ranfurly.*)
Ravensworth, L.
Redesdale, L.
Robertson, L.
Sanderson, L.
Sandys, L.
Seaton, L.
Sherborne, L.
Shute, L. (*V. Barrington.*)
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*)
Stalbridge, L.
Stanmore, L.
Stewart of Garlies, L. (*E. Galloway.*)
Tennyson, L.
Waleran, L.
Wolverton, L.
Zouche of Haryngworth, L.

*THE LORD ARCHBISHOP OF CANTERBURY said that as he understood the adjournment of the House was to be moved, and that they were not going into further business, he asked leave to give a personal explanation about a letter from himself to Canon Holland, which had been published in the newspapers, and to which the noble Earl the Lord President of the Council had referred earlier in the evening. Their Lordships would remember that the noble Earl suggested that his letter did not give the complete statement of the facts as to what had actually taken place. That was quite true. His letter was inaccurate only in the sense that it did not attempt to be exhaustive or complete, or to give a detailed statement as to all that had been done. Perhaps it would have been better if in making any statement he had tried at full length to develop everything, but he had not attempted to do so. His letter quite correctly indicated that so far as the rural single school areas were concerned the Amendments carried in that House had directed that both in transferred and provided schools denominational facilities might, if so desired, be used on every school day; but if he had been attempting a full statement of all the facts it would have been necessary for him to have added that in urban areas, although they gave no additional facilities in provided schools, they had by the Amendments extended to five days, instead of two, the possibility of using facilities in transferred schools. He thought that correctly represented the facts, and so far as the brief summary went, which was all that he had attempted, he had certainly not meant to keep anything back in such a manner as to mislead anybody.

THE EARL OF CREWE: My Lords, I most cordially accept the explanation of the most rev. Primate. I think it is certainly satisfactory that by his correction the full effect of the changes that have been made in your Lordships' House should be clearly stated. I beg to move that the House do resume.

House resumed, and to be again in Commitee to-morrow.

METROPOLITAN ELECTRIC SUPPLY BILL.

The Chairman of Committees informed the House that the opposition to the Bill was withdrawn. The orders made on the 24th October and Wednesday last discharged, and Bill committed.

House adjourned at five minutes past Eleven o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS.

Monday, 5th November, 1906.

The House met at quarter before Three of the Clock.

NEW WRIT.

New Writ for the County of Armagh (North Armagh Division) in the room of Colonel the Right Hon. Edward James Saunderson, deceased.—(*Sir Alexander Acland-Hood.*)

PRIVATE BILL BUSINESS.

Clydebank and District Water and Burgh Extension Order Confirmation Bill. Read a second time; to be considered upon Wednesday.

PETITION.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petition from Clun, in favour; to lie upon the Table.

RETURNS, REPORTS, ETC.

IRISH LAND COMMISSION.

Copy presented, of Return of Advances made under the Irish Land Act, 1903, during the period from 1st November, 1903, to 31st December, 1905 [by Command]; to lie upon the Table.

GAS AND WATER ORDERS.

Copy presented, of Report by the Board of Trade of their Proceedings under the Gas and Water Works Facilities Act, 1870, during the session of 1906 [by Command]; to lie upon the Table.

SUPERANNUATION ACT, 1884.

Copy presented, of Treasury Minute, dated 31st October, 1906, declaring that Henry Ray, boy, Royal Laboratory, War Office, was appointed without a Civil Service Certificate through inadvertence on the part of the Head of his Department [by Act]; to lie upon the Table.

COLONIAL REPORTS (ANNUAL).

Copy presented of Colonial Report No. 507 (Southern Nigeria (Lagos), Annual Report for 1905) [by Command]; to lie upon the Table.

COTTON GROWING.

Return presented, relative thereto [Address 31st October; *Mr. Rees*]; to lie upon the Table.

FRANCE (No. 1, 1906).

Copy presented, of Convention between the United Kingdom and France confirming the Protocol signed at London on 27th February, 1906, respecting the New Hebrides [by Command]; to lie upon the Table.

TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 3727 and 3728 [by Command]; to lie upon the Table.

COAL (EXPORT DUTY).

Return ordered, "showing (a) the total amount of coal exported from the United Kingdom from the date of the duty coming into force to its expiration; (b) the total amount of the coal exported liable to duty; (c) the total amount of the duty collected."—(*Mr. Fell.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Naval Programme—Distribution of Ships.

MR. BELLAIRS (Lynn Regis): To ask the Secretary to the Admiralty when a full statement will be made of the changes contemplated in the distribution of ships; whether he can now state the nature of the sliding scale which it is proposed to apply to the nucleus crews; and whether the minimum will in any case fall below the present two-fifths complement.

(*Answered by Mr. Edmund Robertson.*) The changes in question are still in course of development, and in any case relate to points of administration as to which the Board of Admiralty are not prepared to make a public statement at present.

Accidents Caused by Motor Traffic.

MR. CHANNING (Northamptonshire, E.): To ask the Secretary of State for the Home Department what have been the numbers of fatal and other accidents in the Metropolitan district caused by motor vehicles other than motor omnibuses and by motor omnibuses, respectively, in each month since he last gave similar figures to the House of Commons; whether the Metropolitan police inspectors entrusted with carrying out the regulations as to motor omnibuses record and report all instances of failure of the brakes or other parts of motor omnibuses causing stoppage and interference with the general traffic, failure of the steering machinery, skidding or loss of control, any other forms of failure of the machinery, and bad driving involving risk of accident and police interference; and whether he will state to the House the number of such instances of each kind reported during the same months.

(*Answered by Mr. Secretary Gladstone.*) The following table gives complete information as to the accidents caused by vehicular traffic in the metropolis during the months of July and August last. The corresponding figures for the month of September were given in reply to a Question of my hon. friend the Member for Ross and Cromarty, on the 31st ultimo; † while those for the month of October are not yet ready.

Return showing the number of accidents to persons or property known to police to have been caused in the streets, by the vehicles named, during the months of July and August, 1906.

Number of accidents caused by							Remarks.
Horse drawn Omnibuses.	Other horse drawn vehicles (excluding tramcars).	Tramcars.		Motor Cars (including Motor Cycles).	Motor Omnibuses.	Total number of Accidents.	
		Horse drawn.	Mechanically propelled.				
254	2,009	84	286	539	361	3,533	July, 1906
221	1,730	60	317	328	436	3,092	August, 1906

---

† See (4) *Debates*, clxiii, 1093, 1094.

Number of accidents shown in preceding columns in which personal injury resulted, caused by							Remarks.
Horse drawn Omnibuses.	Other horse drawn vehicles (excluding tramcars).	Tramcars.		Motor Cars (including Motor Cycles).	Motor Omnibuses.	Total.	
		Horse drawn.	Mechanically propelled.				
59	640	36	105	178	74	1,092	July, 1906
51	550	18	121	134	75	949	August, 1906

Number of cases in which the injuries proved fatal when caused by							Remarks.
Horse drawn Omnibuses.	Other horse drawn vehicles (excluding tramcars).	Tramcars.		Motor Cars (including Motor Cycles.)	Motor Omnibuses.	Total.	
		Horse drawn.	Mechanically propelled.				
2	10	—	1	6	1	20	July, 1906
1	21	—	2	6	5	35	August, 1906

NOTE.—Any one accident can only be shown under the head of one of the classes of vehicles.

The metropolitan police inspectors entrusted with carrying out the regulations as to motor omnibuses report all cases of defective vehicles coming to their notice, and a Return is appended giving the number of such cases during the past four months:—

Month.	Number reported for defective brakes.	Number reported for defective steering gear.	Number reported for other failures of machinery.	Number reported for skidding.	Number of proceedings against motor omnibus drivers for wanton, furious, reckless, and dangerous driving.
July - -	110	17	86	No record kept	94
August - -	77	22	138	,,	43
September -	47	10	117	77	30
October - -	53	15	125	157	58
	287	64	466	234	225

Status of Glasgow and Brighton Telephone Staff.

Mr. NUTTALL (Lancashire, Stretford): To ask the Postmaster-General whether all grades of the staffs of the telephone systems recently acquired by the Government from the corporations of Glasgow and Brighton have been placed in the same grades as they occupied when they were in the employment of those corporations; whether their wages have been increased, decreased, or continued at the same rates; whether they have been placed on the established strength of the Department; and whether their services with the corporations as licensees of the Department will be reckoned as services with the Post Office for pension purposes.

(*Answered by Mr. Sydney Buxton.*) The corporation telephone staffs at Glasgow and Brighton are being taken over on the terms and conditions and at the rates of pay which they enjoyed in the service of the corporations. The regular increments of wages to which they were entitled have been allowed. The question of placing on the establishment those classes which are usually established in the service of the department and giving them a prospect of pension will be considered in due course, but I may say at once that the counting towards Civil Service pension of their service with the corporation is not contemplated.

Christmas Pressure at the Post Office—Remuneration for Extra Work.

Sir CHARLES SCHWANN (Manchester, N.): To ask the Postmaster-General whether he will grant this year for Christmas pressure £1 as a minimum payment to town sub-post offices, and £2 as a minimum to rural sub-offices, which deliver letters, in place of the present scale, which leaves great numbers of offices without any remuneration for this extra work.

(*Answered by Mr. Sydney Buxton.*) The question of the remuneration of sub-postmasters is to be considered by the Select Committee on Post Office servants. Pending their Report I do not think it would be advisable to make any alteration in the payments already authorised. I should, however, explain that in fixing the payments to sub-postmasters the extra pressure at Christmas is taken into account.

Sedition in India.

Mr. REES (Montgomery Boroughs): To ask the Secretary of State for India whether he has any information which he can communicate to the House regarding the distribution of a circular, purporting to be issued by a society in Bengal styled the Golden Bough, in which circular the recipients are asked to promise to break the nests of the Feringhi (European) birds, tearing them in pieces, and throwing them into the Ganges, to beat the sahibs (Europeans) of the city, and to drive them away, that the Hindus may govern their own country, and in which the Mohammedans are informed that their Hindu brothers have great hope of them, and in which the recipients are asked to bring anything they can get, lathis (clubs), spears, and guns; and, if so, whether any action will be taken against the printers and publishers of such incitements to rebellion and treason.

(*Answered by Mr. Secretary Morley.*) The circular described in the Question appeared, under the heading "Golden Bengal," some fifteen months ago. So far as my information goes, the police are unable to fix definitely the responsibility for printing or publishing it.

Mr. REES: To ask the Secretary of State for India whether he is aware that a Bengali agitator addressing employés of the East Indian Railway at Asansol on 5th September last, in the presence of a magistrate and officer of police, informed his hearers that sugar was refined with pigs' and cows' blood, that Babu Bannerjee had been crowned King or Emperor of Hindustan, that the English had fattened on dogs' meat and grown bold, and that Japan had shown them what Asiatics could do; and whether the Government of India proposes to take any action in view to preventing the debauching of ignorant multitudes by such discourses.

(*Answered by Mr. Secretary Morley.*) I am not aware whether the Government of India propose to take any action; but no doubt they will give attention to the subject.

Indian Army Redistribution Scheme.

SIR H. COTTON (Nottingham, E.): To ask the Secretary of State for India whether those portions of the redistribution scheme of the Commander-in-Chief which proposed to place a permanent cantonment at or near Torseppah, in the mountainous country occupied by the Mohmund tribes, and to establish an artillery and cavalry cantonment between Nowshera and Hoti Murdan have been definitely abandoned.

(*Answered by Mr. Secretary Morley.*) Sanction has been given for the new cantonment between Nowshera and Hoti-Murdan. A proposal for placing a permanent cantonment at or near Torseppah has now, I believe, been abandoned.

Separation of Judicial and Executive Functions in India.

MR. HART-DAVIES (Hackney, N.): To ask the Secretary of State for India whether he has received a memorial from the Fourteenth Madras Provincial Conference, held at Tinnevelly in June last, praying that steps might be taken with as little delay as possible to secure the separation of judicial from executive functions, and whether, seeing that in 1903 the then Viceroy intimated that the question would be dealt with shortly, he will take such measures as may be necessary to bring about this reform in Indian administration as speedily as possible.

(*Answered by Mr. Secretary Morley.*) The memorial referred to has not been received by me. I addressed the Government of India on the 22nd June last, asking them to let me have their conclusions on the subject as soon as possible.

Reinstatement of Daniel O'Shea on Kenmare Estate.

MR MURPHY (Kerry, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland what steps the Estates Commissioners have taken to effect the reinstatement of Mr. Daniel O'Shea in his evicted farm on the estate of the Earl of Kenmare, near Killarney; whether this evicted farm is in the landlord's own possession, and if there are any other difficulties in the way of reinstatement but those created by the landlord's agent, Mr. Maurice Leonard; and whether the Commissioners can now state the exact position of affairs in connection with the case.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they have had the evicted farm in this case inspected, with a view to the reinstatement of the evicted tenant. The Commissioners understand that the farm is in the landlord's occupation. The inspection was made with the consent of the agent, Mr. Leonard. The Commissioners have recently received their inspector's report and will deal with it as soon as possible.

Salaries of Irish National School Teachers.

MR. JOHN O'CONNOR (Kildare, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the new system of teachers' salaries in Ireland operates to the disadvantage of teachers appointed since 1900, whether the initial salaries of such have been decreased, and that the effect of such decrease has been to lower the standard of ability among candidates for the teaching profession; and, if so, whether the system can be at once revised so as to check any deterioration that may have been disclosed.

(*Answered by Mr. Bryce.*) The Commissioners of National Education inform me that since the new system of teachers' salaries was established in 1900, the average salary paid to newly appointed principal teachers has decreased, though there has been an increase in the average salary paid to newly appointed assistant teachers. Precise figures are given in House of Commons Return, No. 286, of 1905. Moreover, the Commissioners are aware that under the new system teachers on first appointment to large and important schools do not receive incomes proportionate to the importance of the schools, as was the case under the former system. The entire question of revising the teachers' salaries has already engaged the attention of the Commissioners, and is at present under the consideration of the Commissioners and the Irish Government.

School Accommodation in Kildare and Leighlin.

MR. JOHN O'CONNOR: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether there are schools in the diocese of Kildare and Leighlin in which the children are much overcrowded; and, if so, will steps be immediately taken to provide sufficient school accommodation in a locality where the attendance amounts to 85 per cent. of the children in the district.

(*Answered by Mr. Bryce.*) I am informed by the Commissioners of National Education that there are several national schools in the area mentioned at which the attendance is in excess of the space accommodation. In many cases the managers are anxious and willing to provide adequate accommodation, and have made applications for building grants; but the matter has been delayed pending the settlement of the general question of building grants. Upon this subject I beg to refer to my Answers to Questions on 31st October.† As I then stated, there is every reason to anticipate that a settlement of the question will shortly be effected.

The British Flag at the Munster-Connaught Exhibition.

CAPTAIN CRAIG (Down, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention having been drawn to the incident connected with the opening ceremony of the Munster-Connaught Exhibition by Lord Aberdeen, at which, by special Resolution, it had been decided that the British flag should be excluded from the decoration of the exhibition premises, he will take such steps as may be deemed necessary by the Cabinet to insure that Lord Aberdeen, as direct representative of the Sovereign, shall not in future take part in public functions when Resolutions against the use of the British flag have been passed.

(*Answered by Mr. Bryce.*) I have nothing to add to the Answer I gave on Wednesday, 31st October.‡ As I then said, I do not know what occurred on the occasion referred to, but the hon. Member is not to assume that his statements are to be taken as accurate. The Cabinet and, I believe, the country also have perfect confidence in the high sense of duty, judgment, and tact of the Lord-Lieutenant, and I regret that any Member of this House should put such a Question.

Middlemen and Irish Land Purchases.

MR. JAMES O'KELLY (Roscommon, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it is in accordance with the Land Act of 1903 for the Estates Commissioners, when dealing with an estate for which an application for an advance has been made, to accept purchase agreements and collect interest in lieu of rent from middlemen; and, if so, under what section of the Act.

(*Answered by Mr. Bryce.*) The provision under which an agreement for purchase by a middleman is received and interest in lieu of rent collected from him pending inquiry by the Estates Commissioners is Section 35 of the Land Act of 1896, with which the Act of 1903 is construed as one. The Estates Commissioners inform me that if the middleman is a person having power under the Land Purchase Acts to sell to tenants, and if the Commissioners should come to the conclusion that the sub-tenants are of such a character as that they should be deemed tenants, then the middleman's application for an advance for the purchase of the entire holding would be refused. If the middleman has not power to sell interest is similarly collected pending inquiry; and after the estate is inspected the Commissioners may, if they think fit, declare the sub-tenant to be a tenant and his parcel to be a holding. Until they do so the sub-tenant remains tenant to the middleman and liable for rent.

MR. JAMES O'KELLY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that out of 172 purchase agreements lodged with the Estates Commissioners in *re* Mrs. Grace C. P. Mahon's estate, Strokestown, on the 25th April, 1906, upwards of eighty were from middlemen for holdings in the occupation of sub-tenants; that the Estates Commissioners have up to the present disregarded the sub-tenants and have collected interests from the middleman; whether the sub-tenants are entitled to any reduction from the middleman; and whether the Government will remedy the grievance under which they are alleged to suffer.

---

† See (4) *Debates*, clxiii., 1028, 1129, 1130, 1131.

‡ See (4) *Debates*, clxiii., 1126, 1127.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that on the estate referred to there are eighty-three sub-tenancies, mostly town or village plots, of which thirty-four are stated to be held by yearly tenants and the remainder by weekly or monthly tenants. Until the estate has been inspected the Commissioners cannot decide whether all or any of these sub-tenants will be declared to be tenants, or whether advances can or will be made to the middleman. Meanwhile the sub-tenants will not be prejudiced by the collection of interest in lieu of rent from the middleman.

Extension of Arklow Pier.

SIR THOMAS ESMONDE (Wexford, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if the Department of Agriculture has advised the Government not to proceed with the work of extending Arklow pier.

(*Answered by Mr. Bryce.*) As I informed the hon. Baronet on 26th July last,† the Government have promised a free grant of £14,000 towards works at Arklow harbour, and £7,000 of this amount is provided in the Ireland Development Grant Estimate of the present year. My hon. friend is doubtless aware that by arrangement with the Arklow Harbour Commissioners the entrance to the harbour has, for a considerable time past, been dredged by the Department of Agriculture. The Department's engineer has recently furnished a report on the subject, which indicates that the dredging operations have so far been quite successful, with the result that the largest vessels frequenting Arklow now have free access to the harbour. It is understood that the Harbour Commissioners and the traders of Arklow agree that such is the case. The result tends to show that dredging rather than an extension of the pier is mainly what was needed at Arklow, and as the question of the particular steps to be taken for improving the harbour is one which primarily concerns the Harbour Commissioners, the engineer's report has been sent to them for their consideration. I may mention that the engineer's report, besides dealing with the question of dredging, makes suggestions for improvements of the harbour other than pier-extension. The Government have also expressed their willingness to assist the Harbour Commissioners in their consideration of the matter by having a further inspection made by the Board of Works if the Commissioners should so desire. No reply has been yet received from the Commissioners.

Civil Employment of Ex-Soldiers and Sailors.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Secretary of State for War whether any effective steps have been taken to carry out any, and, if so, which, of the recommendations on pages 29 and 30 of the Report of the Committee on Civil Employment of Ex-Soldiers and Sailors; have any county and borough councils been urged as suggested in recommendation 16, and with what result; and has any Irish county or borough council given a favourable reply.

(*Answered by Mr. Secretary Haldane.*) The question of the provision of funds for the establishment of the central association, recommended by the Departmental Committee on the Civil Employment of Ex-Soldiers and Sailors, is still under consideration. The Admiralty have not been able to see their way to co-operate in the creation of the proposed association. The Army Council, however, in view of the difficulties in regard to employment which at present handicap the ex-soldier, and from which, owing to the smaller number thrown on the labour market and the nature of their training, ex-sailors do not suffer to the same degree, are of opinion that the establishment of a central association is essential to the success of their endeavours to ameliorate the prospects of ex-soldiers. Steps have been taken by the Army Council in filling all appointments under their control to give preference to ex-soldiers of good character where they possess suitable qualifications. Pending the formation of the new association, no steps have been taken to establish the central office and the local committees, by means of which it was proposed to get into touch with the various county and borough councils. The Army Council are in communication with general officers commanding-in-chief as to the best methods of imparting technical education as recommended by the Committee, and a standing advisory committee on technical education has been established at the War Office with a view of assisting the local technical education committees which it is proposed to establish in the commands. With the exception of those measures which are dependent upon the establishment of a central organisation, progress is being made in carrying out the other recommendations of the Report. A committee is about to assemble to report upon the the payment of pensions and reserve pay at more frequent intervals.

---

† See (4) *Debates*, clxi., 1421.

Increase of Piracy on the China Stations.

MR. BELLAIRS: To ask the Secretary of State for Foreign Affairs whether any representations have been received by the Foreign Office, or addressed by the Foreign Office to the Admiralty, concerning the increase of piracy on the China station; and whether the Chinese Government are actively co-operating with a view to the suppression of these lawless proceedings.

(*Answered by Secretary Sir Edward Grey.*) Communications have passed between the Admiralty and Foreign Office on this subject. The commanding officers of His Majesty's ships on the West River are being called upon to report periodically on the state of security of traffic on the waterways in the neighbourhood of Canton, and from time to time to suggest such improvements as may appear to them desirable in the plans devised for keeping piracy in check. The question is now engaging the attention of the commander-in-chief. The Chinese Government have sent very stringent instructions to the Canton Viceroy as to the necessity of suppressing piracy.

Motor Traffic—Speed Limits in Scotland.

MR. WEIR (Ross and Cromarty): To ask the Secretary for Scotland if he will state the names of the counties and burghs in Scotland respectively where speed limits for motor traffic have been imposed.

(*Answered by Mr. Sinclair.*) The information desired by the hon. Member is as follows:—

Counties.	Burghs.
Argyll (Island of Mull).	Greenock.
Ayr.	Kingussie.
Bute (Island of Arran).	Newmilns and Greenholm.
Forfar.	Pollokshaws.
Haddington.	Stirling.
Midlothian.	Tobermory.
Perth.	
Renfrew.	
Kinross.	

Perth Prison.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): To ask the Secretary for Scotland what is the total number of cells in Perth Prison available for male prisoners; and how many prisoners were in custody there on each day in the month of September, 1906.

(*Answered by Mr. Sinclair.*)—

Statement showing number of prisoners in custody in Perth Prison each day in September, 1906.

Dates.	Males.	Females.
1906: September 1 -	213	40
„ 2 -	213	40
„ 3 -	211	43
„ 4 -	234	45
„ 5 -	223	47
„ 6 -	217	47
„ 7 -	213	48
„ 8 -	206	39
„ 9 -	206	39
„ 10 -	222	38

Dates.	Males.	Females.
1906 : September 11 -	220	38
" 12 -	219	37
" 13 -	222	39
" 14 -	220	40
" 15 -	206	38
" 16 -	206	38
" 17 -	211	38
" 18 -	199	36
" 19 -	202	35
" 20 -	198	35
" 21 -	202	36
" 22 -	194	32
" 23 -	194	32
" 24 -	197	36
" 25 -	197	44
" 26 -	195	43
" 27 -	189	42
" 28 -	194	39
" 29 -	180	41
" 30 -	180	41

Cell Accommodation.

	Males.	Females.
Ordinary cells -	496	165
Association cells -	1	5
Infirmary ward -	1	1
Strong cells -	5	1
Padded cell -	1	1
Total -	504	173

Eligibility of Terence Daly, Postman, of Bundoran, for Pension.

MR. FETHERSTONHAUGH: To ask the Postmaster-General if he is aware that a man named Terence Daly has for over twenty years discharged the duties of postman in the considerable town of Bundoran, county Donegal; whether Daly is entitled, by reason of long service, to any pension in case of retirement; if not, will he inquire into the case with the view to having Daly put on the establishment, so as to entitle him to pension.

(*Answered by Mr. Sydney Buxton.*) Daly is an auxiliary postman not doing a whole-time duty, and not eligible for any award under the Superannuation Acts, or to be placed on the establishment. On his retirement, however, I will inquire whether his case is one for a grant from a compassionate fund placed at my disposal by Parliament.

Postal Facilities at Ardmayle (County Tipperary).

MR. KENDAL O'BRIEN (Tipperary, Mid.): To ask the Postmaster-General if he is aware that the morning collection of letters from the letter-box in Ardmayle, county Tipperary, a practice which has been in operation for over thirty years, has recently ceased; that the people of the district have suggested to the postal authorities a plan by which this privilege could be continued, and which would, in addition, allow of a mid-day delivery at the expense of only one additional mile to the existing journey of a postman; and will he say if this suggestion will be favourably considered.

(*Answered by Mr. Sydney Buxton.*) I have called for a Report on this subject and will send the hon. Member an Answer when it is received.

British Delegates at the Berlin Conference on Wireless Telegraphy.

MR. HENNIKER HEATON (Canterbury): To ask the Postmaster-General whether the British delegates at the Berlin Conference on Wireless Telegraphy have been out-voted on the following points, namely, the compulsory intercommunication of all floating stations on ships on the high seas with no reservations; the adoption of certain regulations containing no satisfactory guarantees against interference with naval messages; the granting to each State of the right to exempt certain wireless stations from compulsory intercommunication with all ships, however fitted; and the proposal that any shore station exchanging messages with a ship carrying apparatus of a system different from that used at the shore station in question should be entitled to receive a higher rate of payment than when exchanging messages with a ship using an apparatus similar to its own; whether the British delegates received instructions from His Majesty's Government to make a stipulation that secret details of working wireless messages shall be safeguarded, and that this proposal has been in the result neglected; whether the representation proposed by the British delegates for British Colonies on future International Commissions on Wireless Telegraphy was also vetoed; and whether the British delegates will be instructed not to sign or ratify the proposals carried by a majority at the Conference.

(*Answered by Mr. Sydney Buxton.*) If my hon. friend will wait until he has before him the text of the Convention, of the Regulations, and of the Protocol, which will shortly be made public, he will find that the statements which he has seen, and which he has embodied in his Question, are either the reverse of the truth or misleading in their implication. The British delegates were instructed to carry out that which was the policy of the late, as well as of the present, Government in regard to the matter. They were instructed not to agree to the principle of intercommunication, nor to sign the Convention, unless specific and adequate securities for British interests, naval and commercial, were obtained.

Danger to Postman at Carstairs Junction.

MR. JAMES O'CONNOR: To ask the Postmaster-General whether he is aware that at Carstairs Junction a postman has not only to cross the metals in the dark in order to place the mails in the guard's van, but frequently to crawl beneath trucks and waggons; whether he is aware that in response to his application for steps to be taken to minimise this risk, it was suggested to him that he should transfer to another place; and whether he has sanctioned this reply.

(*Answered by Mr. Sydney Buxton.*) I have called for a Report on this subject, and I will communicate with the hon. Member after I have received it.

Cost of Maintenance of Garden for Officer of Ordnance Survey, Dublin.

MR. FIELD (Dublin, St. Patrick): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he can state what the annual average cost has been to the public for the last ten years of maintaining the garden for the private use of the officer in charge of the Ordnance Survey, Dublin; whether the labourers of the Ordnance Survey perform this as well as the work of making hay; and whether he can give the names of the officers successively in charge of the Irish survey during the same period.

(*Answered by Sir Edward Strachey.*) The Ordnance Survey offices occupy a group of Government buildings in the Phœnix Park, Dublin, and an officer and a detachment of Royal Engineers are also quartered in these buildings. The garden and grounds adjoining, which comprise some five acres, are kept up by labourers of the Ordnance Survey, and the average annual cost of this work for the last ten years has been £231. The following officers have successively occupied this Government quarter during the last ten years:—Lieutenant-Colonel Hellard, August, 1896, to March, 1899. Lieutenant-Colonel Sim, April, 1899, to September, 1904. Lieutenant-Colonel Meres, October, 1904, to June, 1905. Major Buckland, June, 1905 to present date. The garden and grounds in question are in full view of the Phœnix Park, and they cannot be regarded as being maintained solely for the personal pleasure of the officer in charge of the Ordnance Survey, whose emoluments are quite inadequate to enable him to do so at his own expense.

Irish Ordnance Survey—Bookbinding and Map Mounting Work.

MR. FIELD: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether bookbinding and map mounting in connection with the Ordnance Survey work in Ireland is done in Southampton; and, if so, with a view to convenience and economy whether he will arrange to have it done in Ireland.

(*Answered by Sir Edward Strachey.*) Map mounting and book binding for Ireland is done at Southampton, but the amount of such work is small, and it could not be done with either convenience or economy by setting up a separate staff and machinery in Dublin.

Appropriation of Part of Witley Common (Surrey).

MR. COWAN (Surrey, Guildford): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether application has been made for the consent of the Board under The Law of Commons Amendment Act, 1893, to the appropriation of five acres of Witley Common, near Godalming, in the county of Surrey, for the purposes of a burial ground; and, if so, whether, having regard to the importance of preserving intact all common lands in the neighbourhood of London, and especially in growing residential districts like that in question, the consent of the Board will be withheld.

(*Answered by Sir Edward Strachey.*) The parish council of Witley have applied to the Board for their consent, under Section 22 of the Commons Act, 1899, to the grant or inclosure, of three acres of common land forming part of Witley Common. The application is now under consideration of the Board, and inasmuch as certain objections have been received it is proposed to hold a local inquiry on the subject.

Damage to English Fishing Gear by Foreign Trawlers.

MR. MALLET: (Plymouth): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether in view of the numerous cases of damage caused off the South Coast of Devon and Cornwall to the fishing gear of English fishing vessels by foreign steam trawlers, he will impress upon the Government Departments concerned the necessity of taking more effective action to protect the fishermen against their repetition.

(*Answered by Mr. Lloyd George.*) The Board of Trade and the Admiralty are alive to the necessity of protecting British fishing interests in the Channel, and in this connection I would draw the attention of my hon. friend to the reply given on the 29th ultimo by the Secretary to the Admiralty to the hon. Member for the Totnes Division of Devonshire, showing that the Department concerned are now considering the question.† I may add, however, that in cases of damage done by French trawlers to the gear of of British fishing boats in the Channel, representations will be made to the French Government whenever such action appears possible.

Irish Ordnance Survey and the Department of Agriculture.

MR. FIELD: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will consider the advisability of having the control of the Irish Ordnance Survey put under the charge of the Department of Agriculture in Ireland.

(*Answered by Sir Edward Strachey.*) My right hon. friend has asked me to answer this Question. No change is contemplated in the existing arrangements for the conduct of the Ordnance Survey. The divided control suggested would be attended with diminished efficiency and increased expense.

Crown and Quit Rents in Ireland.

MR. FIELD: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a sum of £32,470 was collected for the year 1905 in Ireland as Crown and quit rents; whether he can state the total amount collected from that source during the past ten years; whether he will state if it is retained as a separate fund, and what portion of it has been expended and for what purpose; and whether he will consider the advisabillty of applying this money to create and finance a forestry department for the purpose of re-afforesting Ireland.

(*Answered by Mr. McKenna.*) The quit and other Crown rents collected in Ireland during the year ended 31st March last amounted to the sum mentioned by the hon. Member. As was stated in answer to a Question by the hon. Member for Kilkenny South, on 7th March last,† the average annual amount of quit rents collected during the ten years ended 31st March, 1905, is £35,516, and the money has been merged in the general income of the land revenues of the Crown, the surplus proceeds of which have been paid into the Exchequer each year, in accordance with the provisions of the Crown Land Acts. As I have previously informed the hon. Member the question of re-afforestation in Ireland is one which must be dealt with on its merits, apart from any question connected with quit rents.

---

† See (4) *Debates*, clxiii, 684.

Bridge across the Suir at Waterford—Apportionment of Cost.

MR. KENDAL O'BRIEN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a Bridge Commission, upon which the counties of Waterford and Kilkenny were represented, under the provisions of 1 and 2 William iv, c. 33, 4 and 5 William iv., c. 61, 2 and 3 Vic. c. 50, and 30 and 31 Vic., c. 56, sat at Waterford in 1903 for the purpose of considering the desirability of erecting a new bridge accoss the River Suir at Waterford, and of determining, in the event of a new bridge being built, the proportions in which the various counties would benefit by its erection and of assessing the proportions in which the various interested counties should contribute to the expense of its erection, and that the Commission determined that it was desirable that a bridge should be built and that the proportion to be paid by the county Tipperary South Riding should be one fifth of the total cost; and seeing that it was recommended by the Commission that the county Tipperary South Riding should be so taxed without having any representation on the Commission, will he in the event of a new Commission being appointed, advise His Excellency the Lord-Lieutenant to appoint a representative on the Commission from the county Tipperary South Riding.

(*Answered by Mr. Bryce.*) The facts are as stated in the Question. The claim made on behalf of the County Tipperary South Riding for representation on the proposed further Commission will receive due consideration.

Re-instatement of Evicted Tenants—Case of Garret Stynes.

MR. KILBRIDE (Kildare, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners received an application last year from Garret Stynes for reinstatement in his holding situated at Plunketstown, Graney Electoral Division, Baltinglass Rural District, No. 3, county Kildare; if he is aware that the holder of this farm, Thomas Jawler, has instructed Mr. E. P. O'Kelly, auctioneer, Baltinglass, to sell the holding; and whether, with a view to the reinstatement of Garret Stynes, he will instruct the Estates Commissioners to enter into communication with Mr. O'Kelly or buy the farm at the auction.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that the matter referred to in the Question is at present before them, and they are making inquiries in regard to it.

Ballycastle Harbour Improvement.

MR. SLOAN (Belfast, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on the 28th ultimo four fishermen when entering the boat harbour at Ballycastle had a narrow escape from drowning, due to a wall having been built there by a Mr. M'Ildowney between high and low water mark; if he can state on whose authority this wall was built; and whether, seeing that it imperils the lives of fishermen using the harbour, he can say what steps, if any, it is proposed to take to have it removed.

(*Answered by Mr. Bryce.*) It is, I am informed, the fact that a boat containing four fishermen recently had a narrow escape from being swamped when entering the boat harbour at Ballycastle. The fishermen hold that the building of a wall by Mr. M'Ildowney has increased the danger of entering the harbour in rough weather, and some of them told me when I was at Ballycastle on 31st August that the wall prevented the Rathlin men who came into the little harbour from seeing when a heavy swell was coming. I understand that Mr. M'Ildowney, who is the owner of a private jetty near the harbour, has built the wall on ground of which he claims to be the lessee. He does not admit that the wall has injured the harbour, but says it has rather tended to make it safer. The Department of Agriculture is at present negotiating with the county council with the view of seeing whether anything can be done to improve the harbour, and in that connection the subject of the wall referred to will doubtless receive consideration.

---

† See (4) *Debates*, cliii, 461.

QUESTIONS IN THE HOUSE.

Chatham Dockyard.

MR. JENKINS (Chatham): I beg to ask the Secretary to the Admiralty whether he is aware that a number of skilled labourers at Chatham Dockyard have been reduced to the rank of ordinary labourers, with a reduction in wages from 3s. to 4s. per week; and, seeing that he has accepted the principle of trade union conditions being made applicable to all royal dockyards, whether he will take immediate steps to raise the minimum wages to those current in private shipbuilding yards where similar work is being executed.

THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): In accordance with the universal practice of the Royal Dockyards and in order to save the men from being discharged, some seventy skilled labourers at Chatham have been temporarily employed on ordinary labour, and have been paid as ordinary labourers. It is hoped that the reduction of pay will be of short duration. The men will be placed on their former rates of pay as soon as skilled work becomes available.

MR. JENKINS: Will the right hon. Gentleman reply to the latter part of the Question? Are we to understand that the Admiralty are going to recognise trades union rates in the dockyards according to the hon. Member's promise in March last?

MR. EDMUND ROBERTSON: I must refer the hon. Member to the words of my promise,† and he will see that my Answer is not inconsistent.

MR. JENKINS: May I ask whether the minimum rates for labourers in the dockyards do not amount to 24s. a week?

MR. EDMUND ROBERTSON: I should like to have notice of that Question.

MR. J. WARD (Stoke-on-Trent): I should like to ask whether reduction in the position of a number of skilled labourers has necessitated a reduction in the number of ordinary labourers in the dockyard?

MR. EDMUND ROBERTSON: Not so far as I know. Perhaps the hon. Member will repeat the Question.

Naval Policy.

SIR GILBERT PARKER (Gravesend): I beg to ask the Secretary to the Admiralty whether it is considered by the Admiralty and the Committee of Defence that ships withdrawn from the Fleet in full commission and placed in the Reserve or Home Fleet, are immediately effective as a striking force in the emergency of war.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): Perhaps the hon. Gentleman will allow me to Answer this Question. The Answer is—Yes. The Board of Admiralty consider that the redistribution of ships about to be made adds to the fighting efficiency of the Fleet. Questions of this nature are not referred to the Committee of Defence, but I thought I would give this reply in order to save time.

Naval Gun Practice in Start Bay.

MR. MILDMAY (Devonshire, Totnes): I beg to ask the Secretary to the Admiralty whether, as a result of the inquiry recently held locally, any decision has been come to with regard to the use of the Start Bay, South Devon, as a range for big gun firing by His Majesty's ships.

MR. EDMUND ROBERTSON: It has been decided not to lay down permanent moorings for a fixed target range in Start Bay, and gun firing will be carried out there in future only between 1st November and 31st March, during which period every precaution, consistent with service requirements, will be taken to avoid interference with fishery interests.

---

† See (4) *Debates*, cliii, 505, 509.

Metropolitan Volunteers.

SIR HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for War if he has decided to extend the Volunteer Brigade organisation of the provinces to the force in the metropolis, with a view to preparing them for mobilisation under commanders acquainted, with the battalions according to the expressed wish of nearly all the commanding officers in London.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): It is not proposed at present to extend the Volunteer Brigade organisation to the Volunteers of the metropolis.

SIR HOWARD VINCENT: Is the right hon. Gentleman not going to take any steps at all in the matter?

MR. HALDANE: I said it was not proposed to at present.

SIR HOWARD VINCENT: When is it likely to be determined?

MR. HALDANE: When a large question like this is under consideration nothing is more mischievous than the making of statements piecemeal.

Paymaster's Department of the War Office.

MR. VINCENT KENNEDY (Cavan, W.): I beg to ask the Secretary of State for War whether the system of payment by results is that adopted in the Paymaster's Department of the War Office; and, if so, when was any change made; is it the practice to object to a claim which is smaller in amount than the scheduled charge; does the clerk or objector receive half of the original small claim on securing the acceptance of the larger though scheduled charge.

I beg also to ask the Secretary of State for War if he will state what amounts have been paid to officials in the Paymaster's Department of the War Office for detecting alleged errors in claims made against that Department for the past ten years, will he further state how many claims does the amount represent.

MR. HALDANE: The hon. Member is under a complete misapprehension as to the method of examining accounts in the War Department. The practice referred to does not obtain in the War Office.

South African War Medals.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Secretary of State for War whether he is aware that the conditions under which the King's medal for the South African campaign was granted have resulted in unequal treatment, so that men who served during the first and more arduous portion of the war received one medal, the Queen's—while men who served during the second and less arduous portion received two medals—Queen's and King's. Whether his attention has been called to the dissatisfaction caused, especially amongst the Natal Field Force and the Colonial forces, in consequence; and whether he will take steps to remedy the inequality.

MR. HALDANE: The object of the King's medal was to give special recognition to the services rendered by the troops in the later phases of the campaign, and to reward those soldiers who, by their long service in the field, brought the war to a successful termination. This is clearly stated in the Army Order promulgating the grant of the medal. The Army Council are not aware of any sound grounds for re-opening the question of the conditions of the grant.

Discharges from Netley Hospital.

LORD R. CECIL (Marylebone, E.): I beg to ask the Secretary of State for War whether several patients have recently been discharged from Netley who have been there in some cases for many years; whether, seeing that the only legal refuge for patients so discharged is the workhouse of the place where he was born, he will say what was the final notice given to the patients of their impending discharge; and what steps, if any, the Government intend to take to alleviate the hardships of these men?

MR. HALDANE: It was brought to the notice of the War Office last year that there were several cases of men being retained in military hospitals after their discharge from the Army. Such retention not only caused a charge on Army Votes (of about £3,000 a year) in respect of men no longer in the Army, but also absorbed hospital accommodation required for other soldiers. After full consideration of the matter it was decided that such cases could not be retained indefinitely or from any charitable reason, but that they should be discharged from hospital as soon as they were fit to travel. These men, if they have no homes to go to, are sent to the guardians of their place of settlement. As regards notice to the patients, discretion as to length of notice is left to the principal medical officer of the hospital in question. How long was the notice which he gave in recent cases I cannot tell, but if the noble Lord desires it I will inquire. I am doing all in my power to find homes for these men.

LORD R. CECIL: Are the soldiers described as pensioners not, in fact, suffering from disease? May I further ask is it not a part of the terms under which recruits are engaged that free medical treatment shall be given?

MR. HALDANE: Free medical treatment was given. One man has been ten years an invalid. He has received medical treatment, and he would not have been kept in ordinary civil employment under these conditions.

MR. CROOKS (Woolwich): As the right hon. Gentleman expects to save £3,000 a year on this arrangement, will he consider the advisability of sharing the money for the benefit of these men until they can find a permanent home?

MR HALDANE: If Parliament will give me authority in the matter I will see what can be done. It is going beyond the power of the medical organisation to keep the sick until they find a home. I will consider the question fo putting money on the Estimates, but I cannot give any assurance.

MR. CROOKS: Then these men will be branded as paupers?

MR. ASHLEY (Lancashire, Blackpool): Will the right hon. Gentleman put down an extra sum in the Estimates to provide for these men?

MR. HALDANE: I will consider that question, but can give no assurance at present.

LORD R. CECIL: Does the right hon. Gentleman say that these soldiers are still in a condition of grave sickness, and are they being sent out of the hospital to enter the workhouse?

MR. HALDANE: They are not in a condition of grave sickness; they are only bed-ridden.

MR. CLAUDE HAY (Shoreditch, Hoxton): Have they not gone into the workhouse?

MR. DELANY (Queen's County, Ossory): Are not the Irish workhouses full of soldiers chargeable on the rates?

MR. HALDANE: That may be; I cannot say.

MR. T. L. CORBETT (Down, N.): Are they not suffering from very grave sickness when they are unable to work?

MR. HALDANE: They are not able to work, and if Parliament chooses to say that the Army medical organisation is to insist upon providing medical treatment, then we will do what Parliament desires of us. But I may point out that some of these men have been ten years under hospital treatment.

MR. MYER (Lambeth, N.) rose to put a further Question.

*MR. SPEAKER: Order, order! This is becoming a debate.

Agitation in Bengal.

*MR. REES (Montgomery Boroughs): I beg to ask the Secretary of State for India whether he has any information which he can communicate to the House regarding the distribution of a circular, purporting to be issued by a society in Bengal styled the Golden Bough, in which circular the recipients are asked to promise to break the nests of the Feringhi (European) birds, tearing them in pieces, and throwing them into the Ganges, to beat the sahibs (Europeans) of the city, and to drive them away, that the Hindus may govern their own country, and in which the Mohammedans are informed that their Hindu brothers have great hope of them, and in which the recipients are asked to bring anything they can get, lathis (clubs), spears, and guns; and, if so, whether any action will be taken against the printers and publishers of such incitements to rebellion and treason.

THE SECRETARY OF STATE FOR INDIA (Mr MORLEY, Montrose Boroughs): The circular described in the Question appeared, under the heading "Golden Bengal," some fifteen months ago. So far as my information goes, the police are unable to fix definitely the responsibility for printing or publishing it.

*MR. REES: I beg to ask the Secretary of State for India whether he is aware that a Bengali agitator addressing employees of the East Indian Railway at Asansol on 5th September last, in the presence of a magistrate and officer of police informed his hearers that sugar was refined with pig's and cow's blood, that Babu Bannerjee had been crowned King or Emperor of Hindustan, that the English had fattened on dog's meat and grown bold, and that Japan had shown them what Asiatics could do; and whether the Government of India proposes to take any action in view to preventing the debauching of ignorant multitudes by such discourses.

MR. MORLEY: I am not aware whether the Government of India propose to take any action; but no doubt they will give attention to the subject.

Madras Provincial Conference.

MR. HART-DAVIES (Hackney, N.): I beg to ask the Secretary of State for India whether he has received a memorial from the Fourteenth Madras Provincial Conference, held at Tinnevelly in June last, praying that steps might be taken with as little delay as possible to secure the separation of judicial from executive functions; and whether, seeing that in 1903 the then Viceroy intimated that the question would be dealt with shortly, he will take such measures as may be necessary to bring about this reform in Indian administration as speedily as possible.

MR. MORLEY: The memorial referred to has not been received by me. I addressed the Government of India on June 22nd last asking them to let me have their conclusions on the subject as soon as possible.

New Indian Cantonment.

SIR H. COTTON (Nottingham, E.): I beg to ask the Secretary of State for India whether those portions of the redistribution scheme of the Commander-in-Chief which proposed to place a permanent cantonment at or near Torseppah, in the mountainous country occupied by the Mohmund tribes, and to establish an artillery and cavalry cantonment between Nowshera and Hoti Murdan have been definitely abandoned.

MR. MORLEY: Sanction has been given for the new cantonment between Nowshera and Hoti Murdan. A proposal for placing a permanent cantonment at or near Torseppah has now, I believe, been abandoned.

Central Africa—Proposed Legislative Council.

MR. REES: I beg to ask the Under-Secretary of State for the Colonies whether any further progress has been made in regard to the proposed establishment of a legislative council for the British Central Africa Protectorate.

THE UNDER-SECRETARY FOR THE COLONIES (Mr. CHURCHILL, Manchester, N. W.): Advantage was taken of the presence in this country of the Commissioner of British Central Africa to discuss this proposed change and the numerous arrangements in details which would require to be made, the consideration of which must occupy some time. The matter is, however, being kept steadily in view.

MR. REES: Is my hon. friend aware that those interested are anxious to see this measure carried out as soon as possible?

MR. CHURCHILL: Yes, sir, and I am endeavouring to give every consideration to their wishes. But there are many large questions to be considered in connection with such a matter as this.

British Guiana—Crown Agents' Monopolies.

MR. FELL (Great Yarmouth): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been called to an agitation going on in British Guiana against the monopoly of the Crown Agents to the Colonies; whether the Colony claims the right to make its own contracts in the open market as it possesses the independent control of its own finance; and whether he will supply any Papers dealing with the question.

MR. CHURCHILL: My attention has been called to certain paragraphs in the public press in which allusion is made to this subject, but I have received no official communication from the Government of British Guiana. The rule that requisitions, for public stores should be made through the Crown Agents for the Colonies and not through local firms represents the conclusions arrived at by successive Secretaries of State as to the method of obtaining public stores which is best calculated to promote economy. In answer to the second part of the hon. Member's Question, the point is whether the Government of British Guiana, like the Governments of other colonies not possessing responsible government, should in accordance with the standing rule procure stores required from the United Kingdom through the agents of the colony in the United Kingdom, viz., the Crown Agents for the Colonies, or through local firms and their agents. How far the unofficial majority in the financial House wish to insist on the latter course I am not able to say, nor have I at present material for laying Papers on the subject before Parliament.

Transvaal Mines—White and Coloured Labour.

SIR GILBERT PARKER (Gravesend): I beg to ask the Under-Secretary of State for the Colonies how many Kaffirs were discharged from the mines of the Transvaal during the past six months; and also how many Chinamen have been employed as skilled workers during the same period.

MR. CHURCHILL: I cannot state how many Kaffirs were discharged from the mines of the Transvaal during the period in question; but the number of native labourers employed has remained practically unchanged, there having been 94,277 on 31st March, and 93,803 on 30th September, a reduction of only 474. Upon the question of how many Chinamen have been employed as skilled labourers, my hon. friend is no doubt aware that such employment is prohibited under section 9 (*a*) of Ordinance No. 17 of 1904; and the information at my disposal does not enable me to say whether such regulation has been in any way infringed. But my hon. friend may perhaps be interested to observe that the ratio of white men to coloured of all races was in May, 1904, before the importation of Chinese began, as 10 to 59, whereas to-day it is as 10 to 84, and the number of white men employed per 100 stamps was 250, whereas to-day it is 210.

SIR GILBERT PARKER: I think the hon. Gentleman—unintentionally no doubt—has reversed the figures concerning the natives? Did he not convey the idea recently that Chinamen were displacing white skilled labour?

MR. CHURCHILL: If the hon. Gentleman asks me a Question regarding statistics, I do my very best to supply him with the Answer he wishes.

Gaming Licences in the Malay States.

MR. LAIDLAW (Renfrewshire, E.): I beg to ask the Under-Secretary of State for the Colonies if he has received from His Majesty's High Commissioner of the Federated Malay States the Report asked for in August last regarding gaming licences; if so, can he now say what amount of annual revenue is derived from such licences; and if any steps are being taken to abolish licensed gambling in the Federated States.

MR. CHURCHILL: The High Commissioner's Report has now been received. It is not possible to state the exact amount of revenue derived from gaming licences, as the gambling farms have hitherto been leased in conjunction with other farms, but the average annual revenue from this source is estimated at about three million dollars. The Secretary of State is satisfied that the immediate abolition of licensed gambling is impracticable, but steps are being taken to restrict it as far as possible, and to prepare the way for eventual abolition.

Newfoundland.

MR. ASHLEY: I beg to ask the Under-Secretary of State for the Colonies if, in view of the fact that the Order in Council carrying into effect the *modus vivendi* with France of 1890, respecting the Newfoundland lobster fishery, was not issued till the 23rd June, 1891, and contained a declaration that it was so promulgated under powers vested in Her Majesty by an Act passed by the Legislature of that Colony, he will explain why His Majesty's Government have not followed a similar course in the case of the *modus vivendi* with the United States Government respecting the Newfoundland fisheries.

*MR. CHURCHILL: The hon. Member appears to assume that effect was not given to the *modus vivendi* concluded with France in 1890 until June, 1891. The *modus vivendi* was made only for the season of 1890 and expired at the end of that season. Her late Majesty was bound by it from the date of its conclusion and gave effect to it throughout the season of 1890. Lord Salisbury, however, renewed it for another year in March, 1891. The Colonial Act under which the Order in Council referred to was issued was not passed until it had been made clear to the Colony that in the absence of Colonial legislation an Imperial Act would be passed. Lord Salisbury's Government actually introduced a Bill into Parliament, and it was only withdrawn when the Colony undertook to legislate. The *modus vivendi* was renewed by Lord Salisbury before that undertaking was given. The *modus vivendi* which has been concluded with the United States Government applies only to the present winter herring fishery, which will end about Christmas; the Colonial Legislature will not meet again until after it is over. Without at this moment entering upon legal considerations I would point out that there would have been no object in concluding the *modus vivendi* at all if effect was not to be given to it until after the end of the fishery to which it was to apply.

MR. ASHLEY: As a matter of fact did not the Colonial Government in the period of Lord Salisbury's Administration consent to the *modus vivendi* in view of the fact that Lord Knutsford on 13th February, 1890, said——

*MR. SPEAKER: The hon. Member is not now seeking information.

MR. LYTTELTON (St. George's Hanover Square) asked when Papers would be laid.

*MR. CHURCHILL: I am making inquiries at the Foreign Office, but I do not think Papers can be laid before the beginning, or perhaps the middle of next week.

SIR GILBERT PARKER inquired whether the *modus vivendi* was to be submitted to the Colonial Legislature after the herring fishery season was over. Did it only apply to this season?

*MR. CHURCHILL said that he could not undertake to answer Questions on this matter of great constitutional complexity without proper notice, which would enable him to consult the noble Lord the Secretary of State.

SIR HOWARD VINCENT asked whether the arrangement with the United States would terminate at Christmas, and thus leave the Colony complete freedom of action.

*MR. CHURCHILL: The arrangement is a provisional arrangement, which it was necessary to make because of the imminence of this year's fishery, and pending the general discussion of the question which is still proceeding. The arrangement terminates when the decision on the general discussion has been reached.

Forced Labour in West Africa.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Under-Secretary of State for the Colonies if, in view of the fact that the imposition of forced labour (unpaid) is imposed upon the West Africans in lieu of the imposition of money rates, he will say on what grounds heavy taxation by way of customs is imposed on the same people. I beg also to ask the Under-Secretary of State for the Colonies if he is in a position to state whether forced (unpaid) labour has ever been demanded, or, if demanded, the latest date of such demand in the Colonies of Gambia, Sierra Leone, Gold Coast, or of Lagos, before the absorption of the last-mentioned Colony in South Nigeria.

*MR. CHURCHILL: By universal and immemorial custom of the numerous tribes inhabiting the Protectorate of Southern Nigeria (and West Africa generally) the inhabitants of each town are responsible for the upkeep of the native paths running through their lands. In the large portion of Southern Nigeria where the House Rule Proclamation is in force, the natives all belong to some house, and in return for the protection they receive are liable under that law to work for their chiefs. In the interior where this proclamation is not in force all inhabitants are subject, probably to a greater extent, to the control of their chiefs. The town dwellers also, except where British rule is established, build and maintain defensive walls and trenches—generally extending for many miles—round their towns as a protection against raids. Often several lines of walls and trenches exist. As we occupy territory all this ceases, and the Governor reports that the relief thus given must be tenfold the requirements of the Government for the construction and maintenance of better roads. After the establishment of British Government the inhabitants of all towns and villages in the territory under our control are required to construct necessary additions to and maintain the existing roads through their districts in good order. In the last two years the construction of roads of a much better class than those previously existing has been undertaken, and it has been recognised that the natives could not reasonably be called upon to construct such roads without assistance from the Government; although they themselves are, of course, the chief gainers by improved communications. In most places the benefits arising from new roads are fully understood by the chiefs, and they gladly assist in their construction. Where such improved roads have been constructed payment has always been made to the natives, but in cases where they have been called upon simply to clear a broader track through the country and to fell trees and uproot stumps, payments have been made to the chiefs. The rule is for the chiefs to supply food for the men sent by them to work. It has been left to the discretion of the Provincial, Divisional and District Commissioners to consider the amounts that should be paid from Government funds for road work done, and I believe, they have always shown full consideration to representations made by the chiefs or people that work on roads may be suspended or considerably reduced during the farming and palm oil seasons. In addition to this ordinary road-making and construction work, it has always been customary to fine towns and villages for risings against the Government, for murders, human sacrifices, slave-dealing, etc., and in lieu of the exaction of a fine in cattle, sheep or produce, chiefs have been required and certainly prefer to provide labour for road construction or for the clearing of sites and the erection of buildings for new stations. The people are invariably dealt with through their chiefs, and I need scarcely state that any abuse by Government officers of their delegated discretionary powers would entail the severest censure, if not the dismissal of the officer concerned. Subject to these exceptions the Secretary of State is not aware that forced unpaid labour has within any recent period been demanded in any of the colonies named or, so far as his present information goes, that it has heen demanded in Southern Nigeria. The experience of the Road Construction Department, however, has been that unpaid labour is unsatisfactory, and even costly, for works of any magnitude on account of its fluctuations and inexperience. The question of the abolition of a deeply-rooted custom is too large and complex for any hasty or immediate decision, but the Secretary of State earnestly hopes that it may eventually follow into extinction other still more undesirable local institutions which have been already terminated by the extension of British authority.

MR. CATHCART WASON: Then in any case payment is made to the chiefs and poissbly by them indirectly to their men?

*MR. CHURCHILL: Yes.

Chinese Labourers in the Rand Mines.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Under-Secretary of State for the Colonies whether he has now official information to the effect that the Chinese labourers in the Rand mines are required to make their complaints to the managers of the mines, instead of to the inspectors under the superintendent of foreign labour as heretofore; and, if he has not any information on the subject, will he be good enough to cause inquiry to be made.

Mr. CHURCHILL: I am in communication with the Governor on the subject.

Forced Unpaid Labour in West Africa.

Mr. CATHCART WASON: I beg to ask the Under-Secretary of State for the Colonies at whose discretion can forced unpaid labour be exacted from West Africans; and whether such discretion lies solely in the control of the Governor or if it can be exercised by any subordinate.

Mr. CHURCHILL: In West African Colonies and Protectorates in which there is legal power to demand labour on roads and waterways, the Governor or High Commissioner alone can make an order that such work shall be done.

The Attack on Mr. Crewe Read.

Mr. CATHCART WASON: I beg to ask the Under-Secretary of State for the Colonies whether the incident terminating in the death of Mr. Crewe Read was attributable to demands for forced labour, unpaid, being enforced.

Mr. CHURCHILL: The Secretary of State expects shortly to receive from the Governor of Southern Nigeria a further report for which he has called upon the causes of the attack on Mr. Crewe Read; and in the meantime I am not in a position conclusively to answer the hon. Member's Question.

Congo State Administration.

Mr. FULLERTON (Cumberland, Egremont): I beg to ask the Secretary of State for Foreign Affairs if he can state what effective measures have been taken to prevent a repetition of the outrages recently perpetrated in the Congo State.

The SECRETARY to the LOCAL GOVERNMENT BOARD (Mr. Runciman, Dewsbury, for Sir E. Grey): Some reforms have been announced since the report of the Commission of Inquiry. They do not meet all the points to which that Commission drew attention, and there has not yet been time to receive reports upon the extent to which they have been put into force, or what the effect has been.

Probate Administration in Scotland.

Mr. SEARS (Cheltenham): I beg to ask Mr. Chancellor of the Exchequer if he is aware that there is no principal probate registry in Edinburgh for Scotland similar to the one in London for England; and if he will say how the Death Duties are dealt with there in the absence of such a registry; whether affidavits, or inventories as they are called in Scotland, are received at the Estate Duty Office direct and without passing through any probate registry; whether affidavits are received in Scotland by collectors of Inland Revenue direct and without the intervention of a district probate registry, duly accepted, and the document sent to the Comptroller, Estate Duty Office at Edinburgh, for stamping, and resort had to the Sheriff Clerk only after the fact for the grant of confirmation and making copies of the account and wills; whether this system is in use in Scotland; and, if so, will he consider whether it can be introduced into England; and, if not, what are the circumstances which render the system unsuitable in this country.

The CHANCELLOR of the EXCHEQUER (Mr. Asquith, Fifeshire, E.): I find that in Scotland the duties of the Principal and District Probate Registrars are performed by the Commissary Clerk in Edinburgh and the Sheriff Clerks in the provinces. There exists, however, this distinction between the two countries, that, whereas in England the district registries are merely branches of the Central Registry, in Scotland the Commissary Clerk exercises no jurisdiction whatever over the Sheriff Clerks, although if an executor so desires he may have his case dealt with in Edinburgh instead of in the provinces. Direct receipt of inventories in Scotland by the Estate Duty Office occurs only in the case of mortgages. This is due to the fact that under Scottish law a mortgage is permitted to pass without a grant of probate, and there is therefore no necessity for any official intervention other than that of the Estate Duty Office. In all other cases the duties of Inland Revenue officers in connection with the assessment and collection of Death Duties are the same in both Scotland and England.

The Bank Rate.

MR. HART-DAVIES: I beg to ask Mr. Chancellor of the Exchequer if his attention has been called to the fact that the recent rise in the Bank rate has been caused by no very excessive withdrawals of gold; and whether, to obviate the inconvenience to trade caused by a high Bank rate, he will consider the advisability of taking steps to establish a national reserve of gold.

MR. ASQUITH: The question has for some time engaged, and is engaging, my attention. I am not at present prepared to make any definite statement on the subject, but I must not be taken to assent to the suggestion that the establishment and maintenance of an adequate gold reserve is the duty of the State and not that of the banking community.

Imported Soap.

MR. BOTTOMLEY: I beg to ask Mr. Chancellor of the Exchequer whether, in view of the projected amalgamation of English soap manufacturers, he will consider the advisability of removing the existing duty upon the importation of foreign soap.

MR. ASQUITH: Soap as such is not chargeable with duty upon importation. But a duty of 3d. per lb. is levied upon transparent soap in respect of the spirit which is used in its manufacture. I am considering how far this duty places transparent soap of foreign manufacture at a disadvantage compared with similar soap of home manufacture, in view of the concessions recently granted in respect of alcohol used for industrial purposes.

Liverpool Victoria Legal Friendly Society.

MR. J. P. NANNETTI (Dublin, College Green): I beg to ask the Secretary to the Treasury whether, in view of the indignation that prevails throughout the country over the proposal to turn the Liverpool Victoria Legal Friendly Society into a limited company, and in consequence of the fact that this society has an enormous membership in the great towns of England, Scotland, Ireland, and Wales who are unable, on the score of distance and expense, to attend any meeting of the society held in London, he will take steps, either by meetings of members in the respective towns, or by delegates selected by such meetings, or by ballot to satisfy himself that such a change is desired by the majority of the members of the society.

The following questions on the same subject also appeared on the paper:—

SIR HOWARD VINCENT (Sheffield, Central): To ask the Secretary to the Treasury if his attention has been called to the differences that have arisen between the members of the Liverpool Victoria Legal Friendly Society with regard to its conversion into a limited liability company, and if pending the settlement of the matter by the High Court of Justice, he will take care that no steps are taken by the Registry of Friendly Societies to prejudice either one side or the other.

MR. SNOWDEN (Burnley): To ask the Secretary to the Treasury whether he has considered the petition lodged with the Chief Registrar of Friendly Societies by members of the Liverpool Victoria Legal Friendly Society, for an inquiry into the management of that society, also the petition lodged asking for a meeting to be held under the direction of the Chief Registrar, in place of the meeting held in Exeter Hall on September 19th last, to consider the question of the society being turned into a joint stock company; what decisions have been come to in regard to these petitions; and if he is in a position to give an assurance that the registry of the society will not be revoked until full inquiry has been made and until all the adult members have in some way had an opportunity of expressing their opinions on the matter.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. MCKENNA, Monmouthshire, N.): My attention has been frequently called to this matter, and very conflicting allegations on the subject have been made to me. The question is now the subject of litigation, and so long as it is *sub judice* no decision will be taken as to whether the registration of the society is to be cancelled.

The Official Debates.

MR. BYLES: I beg to ask the Secretary to the Treasury whether he would favour some inquiry by competent persons into the method and scope of Hansard's Parliamentary Reports, with a view of ascertaining whether, without prejudice to the public interest, great curtailment and consequent economy are possible.

MR. McKENNA: The existing *Hansard* contract expires on the 31st December, 1907. I think it will be desirable to appoint a Select Committee in the course of next year to inquire into the subject in its double aspect of economy and efficient reporting.

Clerks to Commissioners of Taxes.

MR. MYER: I beg to ask the Secretary to the Treasury, whether he is aware that the functions of clerks to Commissioners of Taxes, as defined by the several Tax Acts, have been largely transferred in practice to Surveyors of Taxes; and whether, seeing that the clerks to Commissioners still receive remuneration as if they did the original work, that those acting within the metropolitan area still receive remuneration based upon a poundage of income-tax on property the work of which valuation has been transferred to the various vestries (now corporations), and that the clerical work in England and Wales which clerks to Commissioners now perform is usually delegated to a clerk at low wages or is put out at piece work, the Government will appoint a Committee to inquire into the present working of the Income Tax Acts with a view to improving the machinery for assessment and collection of income-tax.

MR. McKENNA: The Board of Inland Revenue inform me that they know of no foundation for any one of the suggestions conveyed in the Question.

The German Gipsies.

MR. CLAUDE HAY: I beg to ask the Secretary of State for the Home Department whether he will grant a Return showing the expense to which the local authorities in Great Britan have been put by the wandering throughout Great Britain of a band of sixty or more German gipsies since the early part of this year; and whether he proposes to provide funds from the Exchequer to recompense the local authorities for this expenditure, which they have unwillingly incurred in consequence of the hospitality of the nation having been extended to these alien immigrants.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): No good purpose would be served by such a Return even if it was possible to obtain the figures. I have no power to provide funds out of the Exchequer, nor do I think that there is any reason for doing so.

MR. CLAUDE HAY: Why "no good purpose?"

SIR HOWARD VINCENT: Is the right hon. Gentleman aware that a band of these gipsies is still giving a great deal of trouble?

*MR. GLADSTONE: I am of course aware that there are gipsies about the country who are giving a great deal of trouble. Can the hon. and gallant Gentleman suggest some method of remedying the grievance?

SIR HOWARD VINCENT: I will wait on the right hon. Gentleman for the purpose.

MR. CLAUDE HAY: Does the right hon. Gentleman intend to introduce any legislation to cope with this evil?

MR. LUPTON (Lincolnshire, Sleaford): Would not these gipsies give less trouble if let alone?

[No answered was returned.]

Metropolitan Cab Fares

MR. H. H. MARKS (Kent, Thanet): I beg to ask the Secretary of State for the Home Department whether it is intended to adopt the recommendations in the Report of the Select Committee on Cabs and Omnibuses (Metropolis), and to introduce the tariff commencing with a sixpenny fare for a short distance, combined with the use of the taximeter working on the horo-kilométrique, or hour-mile system; and when the new regulations are to come into operation.

MR. NORMAN (Wolverhampton, S.): At the same time may I ask the Secretary of State for the Home Department if he will state what steps have been taken, or are proposed, to carry out the recommendations of the Select Committee on Cabs and Omnibuses (Metropolis), especially with regard to the system of privileged cabs at railway stations.

*MR. GLADSTONE: The recommendations contained in the very useful Report of the Select Committee, of which my hon. friend was Chairman, are under the consideration of myself and the Commissioner of Metropolitan Police. Some of those which are within the competence of the Commissioner have already been carried out, and an order and regulations dealing with a number of others are now in draft. I am not yet able to make any statement with regard to the proposed new tariff and the use of the taximeter. The privileged cab question is one of well-known difficulty, but I am of opinion that it must be dealt with.

Children and Motor Traffic.

MR. CATHCART WASON: I beg to ask the Secretary of State for the Home Department if his attention has been directed to the report of a recent motor accident and the running over of a child of three years old, and to the remarks of the coroner that children should not be allowed to wander along highways at dangerous places, and that chauffeurs could not be expected to look after machines and children; and if he will take steps to remove the coroner from all city magisterial functions.

*MR. GLADSTONE: I have no power to remove any coroner from office, but I am addressing an inquiry to the coroner in question on the subject of the remarks attributed to him in the newspaper extract to which my hon. friend has called my attention.

MR. CATHCART WASON: Will the right hon. Gentleman make representations to the county council?

*MR. GLADSTONE: I must ascertain the facts first.

Royal Commission on Vivisection.

MR. LUPTON: I beg to ask the Secretary of State for the Home Department whether he is aware that the British Union for the Abolition of Vivisection, which consists of numerous affiliated societies throughout the United Kingdom, has refused to take part in the proceedings of the Royal Commission unless the constitution of that body is remedied, and a direct medical representative of the anti-vivisectionists is appointed; and what course he proposes to take.

*MR. GLADSTONE: Yes, Sir. I regret the decision of the British Union and hope it will be reconsidered, but I have nothing to add to my previous answers on this subject, except to say that the Commission contains two medical men of distinction whose names were suggested by anti-vivisection societies.

Loughborough Brush Company and the Truck Act.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the fact that the Loughborough licensing justices have granted a licence to the Brush Company at Loughborough for the sale at their works of intoxicating liquors for the benefit of those workmen who are living on the premises during the present dispute; and whether, seeing that such permission makes such premises so licensed a public house, and in view of the provisions of the Truck Act, he proposes to take any, and, if any, what, steps in the matter.

*MR. GLADSTONE: I am making inquiries into this matter, which are not yet complete, and I shall be glad if the hon. Member will repeat his question in a few days time.

Motor Speeds.

MR. CATHCART WASON: I beg to ask the President of the Local Govenment Board if his attention has been directed to a recent motor accident, when a car, alleged to be travelling at from forty to fifty miles an hour, skidded and killed two men; and if he proposes to take any steps to insist on the law being enforced and persons prevented from driving engines faster than express trains on the public roads.

*MR. GLADSTONE: I beg to answer this Question on behalf of my right hon. friend. I have seen the newspaper report of the inquest in this case. It was stated by one witness that the car was going between thirty and forty miles an hour, but the driver estimated the speed at eighteen miles an hour, and an expert witness gave evidence to the effect that the accident was caused by skidding and might have occurred at any rate of speed. The jury found that the occurrence was accidental, and that no blame attached to the driver. The enforcement of the law as to the speed limit is a matter for the local police authority.

MR. T. L. CORBETT (Down, N.): Has the right hon. Gentleman's attention been called to the fact that the hon. Member who put this Question has himself been fined for exceeding the speed limit?

[No Answer was returned.]

Passive Resisters.

MR. WHITEHEAD (Essex, S.E.): I beg to ask the President of the Local Government Board whether, in view of his decision to sanction the payments made by local authorities for religious instruction in non-provided schools pending the appeal in the West Riding case, steps can also be taken to secure equal consideration for passive resisters, who are entitled to the benefit of the decision in the Court of Appeal; and whether he can restrain local authorities during the same period from harshly enforcing against passive resisters the payment of rates for such religious instruction whether by distress or by applying for committal orders.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): The only jurisdiction I have in respect of religious instruction in non-provided schools is in connection with the audit of expenditure incurred in relation to it, and, as regards this part of the matter, I may refer to the reply I gave on Monday last to the Question put to me by the hon. Member for the Universities of Glasgow and Aberdeen.† I am not empowered to take any action of the kind referred to by my hon. friend.

Standing Joint Committee.

*MR. REES: I beg to ask the President of the Local Government Board whether he proposes to so amend The Local Government Act, 1888, as to place in the hands of the County Council the control of the expenditure now exclusively controlled by the Standing Joint Committee.

MR. JOHN BURNS: I have lately received representations from one or two county councils on this subject, but am not in a position to promise legislation with regard to it at the present time

Malton Paupers.

MR. LEIF JONES (Westmoreland, Appleby): I beg to ask the President of the Local Government Board whether his attention has been drawn to the case of an able-bodied pauper, named Tasker, who, with his wife and three children, is at present an inmate of the Malton workhouse; whether he is aware that, in the last twenty-five years, Tasker has been twelve times convicted of various offences; that he and his wife were, in 1903, sentenced to four months' imprisonment for cruelty to their children, and before that date they had drawn insurance money on the deaths of five of their children at the ages of fifteen months, twelve months, ten months, eleven months, and nine months respectively; that since September, 1905, Tasker and his family have been in the Malton workhouse for forty-three and a half weeks, and that when not in prison or in the workhouse Tasker and his wife wander about the country dragging their children with them; whether he is aware that the Malton guardians are anxious to prevent the children from growing up into pauper vagrants like their parents, but are afraid to adopt them, because, if they do so, Tasker and his wife will leave the workhouse relieved of all responsibilty for their maintenance; and whether, in view of this and similar cases he will introduce legislation to prevent parents from deriving profit from the death, through systematic neglect, of insured children, and also to confer upon boards of guardians greater powers of detaining and otherwise penalising parents who ill-treat and neglect their children.

---

† See (4) *Debates*, clxiii., 700.

MR. JOHN BURNS: The guardians of the Malton Union have written to me on this subject. They do not give all the particulars stated in the Question respecting Tasker and his wife, but I should gather that the case is one in which in the interest of the children it is desirable that their care and control should be taken over by the guardians. I may point out that where this course is adopted the parent is not thereby relieved from liability to contribute to the maintenance of the child. With regard to legislation, I believe that one of the questions before the Royal Commission on the Poor Laws is whether increased powers of detention should be given to boards of guardians, and I will bring this case under their notice. Whether any further restrictions should be imposed on the insurance of the lives of children would be a matter for my right hon. friend the Home Secretary.

MR. LEIF JONES: Do I understand that the Malton Board, of which I am a member, have power to adopt these children?

MR. JOHN BURNS: Yes, I believe they have.

Third Class Sleeping Cars on Railways.

MR. MORTON (Sutherland): I beg to ask the President of the Board of Trade, whether he has yet arranged with the railway companies to provide third-class sleeping-carriages in trains where first-class sleeping-carriages are provided.

THE SECRETARY TO THE BOARD OF TRADE (Mr. KEARLEY, Devonport): In accordance with the undertaking of which I informed the House on June 25th last,† the general managers of the railway companies concerned have met and considered this question. The general managers now state that they are unanimously of opinion that if third-class sleeping-carriages were provided a very heavy pecuniary loss to shareholders would be incurred, and accordingly the companies concerned have come to the conclusion that such provision could not be justified.

Life Insurance Funds.

MR. MYER: I beg to ask the President of the Board of Trade, having regard to the sums of money which have accrued to life insurance companies in consequence of the inability of many of the insured to keep up the payment of their premiums, whether he will promote legislation for the purpose of compelling life insurance corporations in the future to return on demand to the assured, or his legal representatives, at least 75 per cent. of the premiums already paid.

MR. KEARLEY: The Board of Trade cannot undertake to promote legislation for the purpose specified by the hon. Member.

Damage to Brixham Trawler by French Boats.

MR. LAYLAND-BARRATT (Devonshire, Torquay): I beg to ask the President of the Board of Trade whether the attention of the Board has been drawn, by the Board of Agriculture and Fisheries or otherwise, to the treatment received by the Brixham trawling ketch "J. E. S. S." from, and to the damage caused to her fishing gear by, a French steam trawler on the night of 25th October; whether the Board will press on the departments concerned the necessity of more effective protection against the repetition of such action; and whether, in view of the number of such cases which have occurred, steps will be taken to provide, as soon as practicable, effective means for obtaining compensation and satisfaction for such injuries.

MR. KEARLEY: The attention of the Board of Trade has been called to the case of the Brixham trawler "J. E. S. S." The Board of Trade and the Admiralty realise the necessity of protecting British fishing interests in the Channel, and in this connection I would refer my hon. friend to the reply given on the 29th ultimo by the Secretary to the Admiralty to the hon. Member for the Totnes division of Devonshire ‡. The Board of Trade are now investigating the case, and will, if the facts are found to justify a representation to the French Government, suggest to the Foreign Office that such should be made.

---

† See (4) *Debates*, clix., 739, 740.

‡ See (4) *Debates*, clxiii., 683, 684.

Penny Post between America and New Zealand.

MR. MORTON: I beg to ask the Postmaster-General whether a penny post is about to be established between New Zealand and the United States of America; and, if so, whether the same arrangement could be made to include the United Kingdom.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): I understand that the Government of the United States of America have agreed to deliver without any additional charge letters posted in New Zealand for the United States of America prepaid at the rate of 1d. per ½ ounce but that the rate for letters sent from the United States of America to New Zealand remains as heretofore, namely 5 cents, equivalent to 2½d., per ½ ounce. As announced not long ago to a deputation n which the hon. Member took part, I am not at present in a position to make any proposals to the United States Post Office for the establishment of penny postage.

MR. MORTON asked whether the question was under consideration.

MR. SYDNEY BUXTON said only in the sense that the question was one which largely depended on how much money was applicable to the various postal reforms.

Wireless Telegraphy.

SIR EDWARD SASSOON (Hythe): I beg to ask the Postmaster-General, whether, in view of the importance of wireless telegraphy in connection with the defences of Great Britain and the Empire, and of the conclusion of the international arrangements at the Berlin Conference, His Majesty's Government will give the House an early opportunity of discussing their terms previous to ratification.

MR. SYDNEY BUXTON: The full text of the Convention, with the Regulations and Protocol, has only just been received. It will be laid upon the Table, and before ratification, if the House desires, an opportunity of discussing the Convention will be afforded.

MR. BALFOUR (City of London): Will the day for the discussion be in the course of the present session or next session?

MR. SYDNEY BUXTON: We hope this session; certainly before ratification.

Windlesham Motor Fatality.

MR. MARNHAM (Surrey, Chertsey): I beg to ask Mr. Attorney-General whether he has received from the police authorities of the county of Berks the depositions of the witnesses and the verdict of the jury given at an inquest held at Ascot on the 25th and 29th October, 1906, by the coroner of East Berks, upon the body of a cyclist, Osborne Paul Hart, who met his death by being knocked down by a motor-car on the main London Road at Windlesham, Surrey, on the 23rd October, 1906; and whether the Public Prosecutor proposes to bring the driver of the motor-car to trial.

THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.): The chief constable has decided to take proceedings in this case against the driver of the car and summonses have been issued.

The Long Vacation.

MR. H. J. CRAIG (Tynemouth): I beg to ask Mr. Attorney-General what steps, if any, have been taken or are proposed to be taken to give effect to the generally expressed desire that the Long Vacation shall begin on 1st August in 1907 and thereafter.

SIR JOHN WALTON: This question is still under consideration.

Small Holdings in Scotland.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): I beg to ask the Secretary for Scotland whether he will grant the Return† relating to the number, acreage, etc., of small holdings in Scotland.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): It is not possible to grant the Return as proposed by the hon. Member. Figures which will be published are being obtained which will include the information desired by him under heading (a) and the first part of heading (b), but without the supplementary information as to buildings, fences and drainage described in the latter clauses of (b).

Aignish Crofter Houses, Island of Lewis.

MR. WEIR (Ross and Cromarty): I beg to ask the Secretary for Scotland whether he is aware that the houses erected by the Congested Districts Board, and forming the crofter settlement at Aignish, Island of Lewis, are not watertight; and, seeing that the crofters complain that the houses are otherwise unsatisfactory, and that no water supply is provided for the township, will steps be taken to have the defects remedied at an early date. I beg further to ask the Secretary for Scotland if he will state who is responsible for the preparation of the plans and specifications of the Congested Districts Board crofter settlement at Aignish, Island of Lewis, who superintended the construction of the houses, and by whom was the work passed; and seeing that the houses are not watertight and are otherwise defective, will care be taken that the persons employed are not again entrusted with this class of work.

MR. SINCLAIR: The Congested Districts Board is responsible for the plans and specifications of the houses, and their construction was carried out under the superintendence of the Board's architect and engineer. The roofing material has been complained of and is receiving attention. Otherwise the houses are not defective. The "upkeep" period has not yet expired, and the houses have not yet been finally taken over from the contractor.

MR. WEIR: The right hon. Gentleman has said nothing as to the water supply.

MR. SINCLAIR: That question is under consideration.

Battery Park, Stornoway.

MR. WEIR: I beg to ask the Secretary for Scotland, seeing that the fishermen's dwellings at Battery Park, Stornoway, are provided with conveniences and a water supply, will he state why the Congested District Board's crofter settlement at Aignish, Island of Lewis, is not provided with either a water supply or conveniences of any description.

MR. SINCLAIR: The water supply is under consideration. The Stornoway District Committee was informed in April last that the provision or not of conveniences is for local arrangement with the proprietor and tenants of the houses.

---

† Small Holdings (Scotland).—Return showing, by counties, the number and acreage in each year from 1891 of Small Holdings in Scotland, the annual rental of which is (a) below £30; and (b) between £30 and £50, and distinguishing cases in which buildings and fences have been erected and drainage done at the expense of (1) the landlord; (2) the tenant; and (3) at mutual expense of landlord and tenant.

MR. WEIR: What about the conveniences?

MR. SINCLAIR: I have said that is a matter for local arrangement.

MR. WEIR: Do they allow houses to be built without considering the question of a water supply or conveniences

MR. SINCLAIR: No, Sir.

MR. MORTON: What are these poor people to do for water while the right hon. Gentleman is considering the question of water supply?

MR. SINCLAIR: My hon. friend knows there is no lack of water in the island.

Deer Forests and Crofters' Crops.

MR. WEIR: I beg to ask the Secretary for Scotland, in view of the fact that the crops of crofters are constantly ravaged by deer, will he state what steps he proposes to take to require landlords to fence in their deer forests in such a manner as to prevent the deer from having access to the adjoining lands.

MR. SINCLAIR: This matter may, I hope, receive consideration when the Small Landholders Bill is in Committee.

Scotch Local Government Board Inspectors.

MR. WEIR: I beg to ask the Secretary for Scotland if he will arrange in next year's Estimates, under Subhead B of the Local Government Board for Scotland Vote, for the subsistence allowances of the inspectors to be shown in detail as in the case of the Irish Vote.

MR. SINCLAIR: I shall be glad to consider the suggestion.

MR. WEIR: The right hon. Gentleman promised the same thing last June.

MR. SINCLAIR: I will look into the matter.

Scottish Agricultural Statistics.

MR. A. DEWAR (Edinburgh, S.): I beg to ask the Secretary for Scotland whether he can state the total number of small holdings acquired in Scotland under the Small Agricultural Holdings Act, 1892; the total number of allotments acquired under the Allotments (Scotland) Act, 1892, and the Local Government (Scotland) Act, 1894; the total acreage held under these Acts, and the number of occupiers; and the average cost of land per acre acquired under these Acts.

MR. SINCLAIR: According to the latest published Return (H.L. No. 192 of 1903) the total number of small holdings sold in Scotland under the Small Holdings Act, 1892, up to the 31st December, 1902, was twenty-five; the total acreage was eighty-three, and the average cost of purchase was £14 9s. per acre. On consulting the Board of Agriculture and Fisheries I find that no later information is available on the foregoing points. As regards the Allotments (Scotland) Act, 1892, the answer is as follows, the figures being derived from the Allotments Scotland Return, 1906 (No. 258). Total number of allotment holders at 15th May, 1906, 173; total acreage of Allotments at 15th May, 1906, 805; total annual rent payable to parish councils, £540; showing average per acre of 13s. 4d.

Lewis and the Equivalent Grant.

MR. WEIR: I beg to ask the Secretary for Scotland whether he is aware that by a resolution of the Ross and Cromarty County Council, passed on the 19th October, 1905, the sum of £200 was retained from the Lewis district committee's share of the equivalent grant for the year 1905, and carried to a suspense account, to be applied to the relief of the public health rate in that district when the public health committee of the county council approve of any scheme which the district committee might submit for the more energetic administration of the Public Health Acts in their district; and, seeing that the Lewis district committee have not yet submitted the required scheme to the county council, will he ascertain the cause of the delay, especially having regard to the insanitary condition of the townships in the Island of Lewis, as shown in Dr. Dittmar's Report.

MR. SINCLAIR: The district committee does not consider it advisable to expend this money until they are able to consider the re-organisation of public health administration as a whole.

Scottish Fishery Inspection.

*Mr. MORTON: I beg to ask the Secretary for Scotland if he will state under what circumstances a Scottish Fishery Board cruiser was recently placed at the disposal of the Under-Secretary for Scotland for a cruise in the Western Highlands of Scotland in company with two ladies and three gentlemen.

Mr. SINCLAIR: The Under-Secretary for Scotland undertook the cruise referred to in order to accompany a Member of the Congested Districts Board for Ireland, and two officials of the Irish Department of Agriculture in a tour of inspection for official purposes of settlements created by the Congested Districts Board for Scotland in the Hebrides.

Mr. WEIR: Is the right hon. Gentleman aware that the party visited only one house in Stornoway?

*Mr. MORTON: Will the cruiser be placed at the disposal of Members of the House who may be interested in that part of the country?

Mr. SINCLAIR: Perhaps the hon. Gentleman will kindly give notice of that.

Underfed Children in the Island of Lewis.

Mr. WEIR: I beg to ask the Secretary for Scotland whether his attention has been called to the fact that an inspector from the Scottish National Society for the Prevention of Cruelty to Children, after a recent visit to townships in the Island of Lewis, described a large proportion of the children as underfed and ill-clad; and, in view of the recommendations contained in the Report on Physical Deterioration, and the alarming increase of phthisis in the insanitary houses of the Lews, will he consider the expediency of directing the Local Government Board's medical inspector to report on the physical condition of the children of the Lews.

Mr. SINCLAIR: My attention has been called to the report referred to. The feeding and clothing of some of the children, while not all that could be desired, are under the circumstances reasonably good. All possible steps through the schools and otherwise will be taken to raise the general standard of living.

House Letting in Scotland.

Mr. CLELAND (Glasgow, Bridgeton): I beg to ask the Secretary for Scotland whether he has further considered his intention to appoint a Departmental Committee to inquire into the missive system of house-letting in Scotland.

Mr. SINCLAIR: Yes, Sir, I hope to publish the particulars in a few days.

Scottish Grand Committee.

Mr. CROMBIE (Kincardineshire): I beg to ask the Prime Minister whether he expects to be able to set up a Scottish Grand Committee before the end of the present session.

Sir H. CAMPBELL-BANNERMAN: No, Sir, I do not think it is likely that we shall be able to set up a Scottish Grand Committee this session.

Harris Tweed Combination.

Mr FELL: I beg to ask the Prime Minister whether his attention has been called to a proposed combination of the Harris tweed merchants, with the object of raising the price of that material; and whether, if an increased retail price is obtained, it will be possible, by means of the Government contracts, to ensure that the poor weavers who make it may receive their due share of the increase.

Sir H. CAMPBELL-BANNERMAN: No information has reached me as to this proposed combination.

Newfoundland.

Sir GILBERT PARKER: I beg to ask the Prime Minister whether this Government is aware of the feeling existing in the Government and among the people of Newfoundland due to the late agreement made with the United States in relation to the fisheries; and whether the correspondence between this Government and that of Newfoundland will be laid upon the Table at the earliest moment. May I ask a further question—of which I have given private notice—namely, whether this Government are aware that the Newfoundland Government has decided to test the validity of the *modus vivendi*, and enforce the Act which forbids the Newfoundlanders to fish on foreign vessels in colonial waters; and what action the right hon. Gentleman proposes to take.

SIR H. CAMPBELL-BANNERMAN: The Governor of Newfoundland keeps His Majesty's Government fully informed as to the state of public opinion in the Colony on the fisheries question. The Secretary of State for Foreign Affairs has already promised that the correspondence with the Colonial Government on the subject of the provisional agreement with the United States shall be laid upon the Table, and the preparation of the Papers is being pushed forward with all possible speed. His Majesty's Government are aware that the Newfoundland Government have decided to enforce the Bait Act. I must decline to say whether any or what action will be taken.

Underfed School Children.

MR. BOTTOMLEY (Hackney, S.): I beg to ask the Prime Minister whether he can now promise facilities for the further consideration of the Education (Provision of Meals) Bill this session.

SIR H. CAMPBELL-BANNERMAN: The hon. Member will see that the Bill has been starred. That means it will be considered.

Crimean War Fund.

MR. BYLES: I beg to ask the Prime Minister whether he is aware that of the sum subscribed by the public after the Crimean war for the benefit of the widows, children, and dependent relatives of officers and men, an unspent balance of about £85,000 remains; and, having regard to the advanced age of the surviving beneficiaries, whether the Government will take steps to accelerate the distribution of these moneys, for which the nation is trustee, among those persons to whom it would appear properly to belong.

SIR H. CAMPBELL-BANNERMAN: I am informed that there is no such sum as £85,000 remaining as an unspent balance of the sum subscribed by the public after the Crimean War for the benefit of the widows and other dependents of officers and men connected with the War. I am, however, informed that under the provisions made by Parliament in the Patriotic Fund Act, 1881, surpluses of the Crimean War and other funds have been dealt with under powers conferred by that Act, and that of such surpluses there remained an unspent balance on 31st December, 1905, of about £55,000. The Royal Patriotic Fund Corporation have been made trustees by Parliament under the Patriotic Fund Reorganisation Act, 1903, for the proper administration of these and all other funds transferred to them under that Act. It is therefore for that body to settle its policy as to the unspent balance referred to, which they appear to have done, their policy being set forth in paragraph 14 of their Second Report to the King adopted at their Annual General Meeting, held in public on 24th May last, the Report being available to my hon. friend as a Parliamentary Paper.

MR. BYLES: Does the right hon. Gentleman know that the War Secretary informed me last week that there was an unspent balance of £85,000, and will he state whether the House has any control over the Commissioners of the Royal Patriotic Fund?

SIR H. CAMPBELL-BANNERMAN: I should think on the face of it that the House has no such control, but I have not consulted the Act. The Patriotic Fund Reorganisation Act, 1903, appears to have handed this matter over to the reconstituted corporation.

BUSINESS OF THE HOUSE.

SIR JOSEPH LEESE (Lancashire, Accrington): May I ask what business will be taken to-morrow?

SIR H. CAMPBELL-BANNERMAN said that it had been the intention of the Government to proceed with the Plural Voting Bill to-morrow, but he was sorry to say that his right hon. friend who was in charge of the Bill, whether exhausted by his labours or not he could not say, was unwell and would not be able to be in the House. In the circumstances that Bill would have to be postponed, and the Land Tenure Bill would be proceeded with.

MR. A. J. BALFOUR said he regretted the cause of the alteration in the arrangements, but he would remind the right hon. Gentleman that he was giving precedence to a measure which was not a Government measure until a few days ago. The notice was inconveniently short, and the fact that his right hon.

friend the Member for South Dublin, who would naturally be in charge of the opposition to the Land Tenure Bill, was unhappily prevented through illness from being present greatly increased the general inconvenience which he feared would result from the Government proposal.

SIR H. CAMPBELL-BANNERMAN expressed his regret at the illness of the right hon. Gentleman the Member for South Dublin, but he thought the most convenient course would be that which he had stated.

SIR A. ACLAND-HOOD (Somersetshire, Wellington): Did not the right hon. Gentleman tell me last Friday that the Merchant Shipping Bill would follow the Trade Disputes Bill ?

SIR H. CAMPBELL-BANNERMAN: That was providing the Trade Disputes Bill was finished on Friday.

SIR A. ACLAND-HOOD: Then why did the right hon. Gentleman put down the suspension of the eleven o'clock rule for to-night ?

SIR H. CAMPBELL-BANNERMAN: I should not have put it down had we got through the Trade Disputes Bill on Friday, but we did not, and hence the necessity to take precautions so as to finish it to-night.

MR. A. J. BALFOUR reminded the right hon. Gentleman that he had promised three days to discuss subjects of great importance—a day for the Army, a day for the discussion of alterations in the House [MINISTERIAL cries of "Oh"]—well, he would say an opportunity—and a third day for the discussion of the Convention which the Government had entered into with regard to wireless telegraphy. In addition the right hon. Gentleman had expressed his anxiety to proceed with the Merchant Shipping Bill. Here was material for at least a week's work. It would be for the convenience of the House that some other business should be taken before the Land Tenure Bill.

SIR HOWARD VINCENT asked whether it was the intention of the right hon. Gentleman to proceed with another very useful measure—the Public Trustee Bill ?

SIR H. CAMPBELL-BANNERMAN said he was as anxious as the hon. and gallant Gentleman opposite to proceed with the Bill he had mentioned. He did not think that the course he had suggested would cause any great inconvenience. The right hon. Gentleman opposite must allow the Government to have some voice in the arrangement of business.

MR. EVELYN CECIL (Aston Manor): When will the right hon. Gentleman be able to take the Merchant Shipping Bill ?

SIR H. CAMPBELL-BANNERMAN: I do not know when.

MR. ABEL SMITH (Hertfordshire, Hertford): Is the right hon. Gentleman aware he is causing serious inconvenience to a large number of private Members by bringing on the Land Tenure Bill ?

SIR H. CAMPBELL-BANNERMAN was understood to reply that private Members were in the House to look after business.

PUBLIC HEATH ACTS (BUILDING BY-LAWS) BILL [LORDS].

Read the first time; to be read a second time upon Wednesday, and to be printed. [Bill 347.]

MESSAGE FROM THE LORDS.

That they have agreed to, Sale of Intoxicating Liquors (Ireland) Bill, without Amendment.

BUSINESS OF THE HOUSE (TRADE DISPUTES BILL).

Motion made, and Question put, "That the proceedings on the further consideration of the Trade Disputes Bill, as amended, if under consideration at Eleven o'clock this night, be not interrupted under the Standing Order

(Sittings of the House)."—(*Sir H. Campbell-Bannerman.*)

The House divided:—Ayes, 297; Noes, 76. (Division List No. 372.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Ashton, Thomas Gair
Asquith, Rt.Hn.HerbertHenry
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Beale, W. P.
Beauchamp, E.
Beaumont, HnW.C.B (Hexham
Beck, A. Cecil
Bell, Richard
Belloc, Hilaire Joseph Peter R.
Benn, W.(T'w'rHamlets,S.Geo.
Bertram, Julius
Bethell, J. H. (Essex,Romford
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W.(Bedfordshire
Boland, John
Bottomley, Horatio
Boulton, A. C. F. (Ramsay)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs.,Leigh
Brunner, RtHnSirJT(Cheshire)
Bryce, Rt.Hn.James(Aberdeen
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Buxton, Rt.Hn.SydneyCharles
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Chance, Frederick William
Channing, Francis Allston
Cheetham, John Frederick
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, SirT.Glen(Renfrew,W.)
Cooper, G. J.
Corbett, CH(Sussex,E.Grinst'd
Cornwall, Sir Edwid A.
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crombie, John William
Crooks, William
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Flynn, James Christopher
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Ginnell, L.
Gladstone, RtHnHerbertJohn
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Guest, Hon. Ivor Churchill
Gurdon, Sir W. Brampton
Hall, Frederick
Hammond, John
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hooper, A. G.
Hope, John Deans (Fife, West)
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jacoby, James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, SirD.Brynmor(Swansea)
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John(Knutsford)
Laidlaw, Robert
Lamb,EdmundG.,(Leominster
Lamb, Ernest H. (Rochester)
Lamont, Norman
Langley, Batty
Law, Hugh A. (Donegal, W.)
Leese, SirJosephF(Accrington
Lever, W. H. (Cheshire, Wirral)
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs)
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah(Down, S.
MacVeigh, Charles(Donegal,E.)
M'Callum, John M.
M'Crae, George
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stadord, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Marks, G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, J. Lloyd(Carmarthen)
Morley, Rt. Hon. John
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, CharlesN.(Doncast'r
Norman, Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow, W.
O'Connor, John (Kildare, N.)
O'Dowd, John
O'Grady, J.
O'Kelly, James(Roscommon,N

O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk, Eye)
Philipps, Col.Ivor(S'thampton)
Philipps, J.Wynford(Pembroke
Pickersgill, Edward Hare
Priestley, W.E.B.(Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, T. F.(Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirGScott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Schwann, SirC.E.(Manchester)
Scott, A.H.(Ashton underLyne)
Sears, J. E.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F.(Leitrim, S.)
Snowden, P.
Soames, Arthur Wellesley
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Sullivan, Donal
Sutherland, J. E.
Taylor, TheodoreC.(Radcliffe)
Tennant, SirEdward(Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel(Carmarthen, E.)
Thomas, SirA.(Glamorgan, E.)
Thompson, J. W.H.(Somerset, E.
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Wadsworth, J.
Walker, H. De R. (Leicester)
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Warner, Thomas Courtenay T.
Wason, Eugene(Clackmannan)
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
Weir, James Galloway
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. C.H.W.(Hull, W.)
Wilson, J. H. (Middlesborough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Woodhouse, SirJ.T(Huddersf'd
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anson, Sir William Reynell
Ashley, W. W.
Balcarres, Lord
Balfour, RtHnA.J.(CityLond.)
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.
Bignold, Sir Arthur
Bowles, G. Stewart
Bull, Sir William James
Butcher, Samuel Henry
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt.HnJ.A.(Worc.
Collings, Rt.HnJ.(Birmingham
Corbett, T. L. (Down, North)
Craig, CharlesCurtis(Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Dalrymple, Viscount
Dixon, Sir Daniel
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, Govan
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Gordon, SirW.Evans-(T'rHam.
Haddock, George R.
Hamilton, Marquess of
Hardy, Laurence(KentAshford
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Heaton, John Henniker
Hervey, F.W.F.(BuryS.Edm'd)
Hill, Sir Clement (Shrewsbury)
Hunt, Rowland
Kenyon-Slaney, Rt.Hon.Col.W
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Liddell, Henry
Long Col.CharlesW.(Evesham)
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
M'Calmont, Colonel James
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Muntz, Sir Philip A.
O'Neill, Hon. Robert Torrens
Parker, Sir Gilbert (Gravesend)
Pease, HerbertPike(Darlington
Randles, Sir John Scurrah
Remnant, James Farquharson
Rothschild, Hon. LionelWalter
Rutherford, W. W. (Liverpool)
Sassoon, Sir Edward Albert
Smith, AbelH.(Hertford, East)
Staveley-Hill, Henry(Staff'shire
Talbot, Lord E. (Chichester)
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Turnour, Viscount
Vincent, Col. Sir C. E. Howard
Walker, Col.W.H.(Lancashire)
Wilson, A. Stanley (York, E.R.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

TRADE DISPUTES BILL.

As amended, further considered.

SIR FREDERICK BANBURY (Camberwell, Peckham) moved to omit Clause 3, which provided that an act done by a person in contemplation or furtherance of a trade disputes should not be actionable as a tort on the ground only that it induced some other person to break a contract of employment or that it was an interference with the trade, business or employment of some other person, or with the right of some other person to dispose of his capital or his labour as he wills. Those last words were in direct contravention of the Prime Minister's own description of Liberal policy. The Prime Minister said that—

> "The Liberal policy meant freedom for each man to use the powers and facilities implanted in him."

Now this clause was drawn to prevent each man using the powers and facilities implanted in him. In the Bills introduced by the hon. Member for Clitheroe, the hon. Member for Spen Valley, and the hon. Member for one of the Divisions for Yorkshire, no clause of this description was inserted, although there was a somewhat similar clause inserted in the Bill introduced by the right hon. Baronet the Member for the Forest of Dean. This clause not only applied to trade unionists, but it included every other person under its provisions. A great deal had been said about the desire of the trade unions to do nothing that was not legal, but wrongful acts had been done in the past for which, on their recurrence, there would be no remedy under this Bill. If, under the old laws such acts occurred, what was likely to occur when this clause passed into law? He would like to call the attention of the House to what occurred on page 143 of the report of the evidence given before the Royal Commission. On that page there was published the following letter—

> "Dear Sir—I hope you will excuse me for troubling you, but I wish to put before you a few plain facts. When you had no work for me on the 30th March, I went to Messrs. Warings & Gillow's and got a job. I worked that week all right. On the Tuesday, the 7th April, Lowe, the painter's delegate, came on the job at Prestwich; he bullied me in front of the men I was working with, and said I would be fined £2 for working in your shop. He said the club intended to take all I earned in your shop, and all other men as well. The other men can do as they like, but I don't pay any fine for getting a living for myself, wife, and children. On Thursday, the 9th April, I was stopped at Warings. On Monday 29th April, I was going down Market Street; Lowe met me, he bullied me and we had a row; so I told him I would leave the town before I would pay the fine. He said he would follow me. Well, I think I would not go for him. I was born and bred in Manchester and served my time, and if I cannot get a living here for myself and family we will have to starve, I suppose, just because I work for you to get a loaf of bread. Now, Mr. Carr, do you think this is right to be hunted like a convict from place to place? That is what Lowe will do."

Sir Frederick Banbury.

That was clear evidence that on certain occasions something of this sort went on, and unless the class of persons to whom he was referring were protected by law it would occur again. That man could not bring a civil action against the trade union for interfering with his rights to earn his living like an honest man. Here was another example which occurred in South Wales—

> "On Tuesday afternoon a non-union man was turned out of his lodgings and was followed by a good-humoured crowd as far as Ferndale. Unfortunately for the former he and the crowd arrived at Ferndale just in time to meet the men there going home from work, and upon the non-unionist being recognised the chase was taken up by the Ferndale men. The non-unionist made good his escape."

Here was another example—

> "A massed meeting of the 2,000 men on strike at Aberamen in reference to about 50 non-unionists employed in the colliery was held last evening at the Plough pit, when the committee reported that as the result of persistent efforts on their part they had now brought the trouble to a satisfactory and amicable settlement. During the day they visited at their homes all who had not joined as well as all who were in arrears with their contributions, and as the result they had got every man 'up to the scratch,' every man a member of the deputation had been brought into line or had cleared out of the district."

It was very evident that under the present law intimidation and the desire to prevent a man exercising his capabilities and his talents as he liked was very prevalent. In view of all this evidence before the Royal Commission, was it wise to extend still further these powers and enact that nothing should be

> "Actionable as a tort on the ground only that it induces some other person to break a contract of employment, or that it is an interference with the trade, business or employment of some other person, or with the right of some other person to dispose of his capital or labour as he wills."

He never expected that even this House of Commons would listen to such a clause as that. He trusted the Government would realise the serious position they were in under this Bill. He knew that the Government were obliged to do what they were told by hon. Members below the gangway. [An HON. MEMBER: That is getting stale.] He hoped the Government would pause and consider before they passed such legislation as this, for there was nothing like it in any other country, and it was absolutely impossible for employers and workmen to compete with foreign trade in this country if commerce was handicapped in this way. People would buy the cheapest article, and the result would be that they would not be able to carry on competition successfully. He still had hopes that the Attorney-General would listen to the voice of argument, and he begged to move.

MR. STANLEY WILSON seconded.

Amendment proposed—

"In page 1, line 24, to leave out Clause 3."—(*Sir Frederick Banbury.*)

Question proposed, "That the words down to 'an act done' stand part of the Bill."

THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.) said the hon. Baronet had always been a strong opponent of this Bill and he was not surprised that he proposed to leave out this clause. The reasons he had given were reasons which had been given before, and he had already endeavoured to meet those arguments and justify the position which the Government had thought proper to take up. The whole of the second part of this clause was framed with a view to giving effect to the Report of the Royal Commission. The Government accepted the conclusion of the Royal Commission, and they had therefore provided that it should not be unlawful for one body of workmen to refuse to work with another body of workmen or even with a single workman for reasons which in their judgment were sufficient. It was clearly part of the law of the land that a body of workmen had a perfect right to refuse to work for any reason which they thought sufficient. It had been held that a man belonging to the Boiler Makers Union had a right to refuse to work with men belonging to the shipwrights, and the result was that the shipwrights on the vessel were immediately discharged. The House of Lords held that they were quite entitled to take that step, and that there had been no breach of the law. He would give another illustration showing that union men had a perfect right to refuse to work with men who were not members of the trade union. It might be wise or unwise but it was the law, and it was because the law had been subjected to so much doubt that it was necessary that the matter should be made perfectly plain. The Government were supported in their recommendation by Lord Dunedin's Commission. The earlier part of this provision contained words which were proposed by the right hon. Member for the Forest of Dean when the Bill was going through Committee and the House adopted them. The hon. Member for Derby on a former occasion had given an illustration of going to South Wales to persuade a large number of men who had entered into contracts with the railway companies in the East End; he tried to persuade them from working under those agreements on the ground that it would be an unfair interference with the strike, but had no sooner opened his mouth than he found himself restrained by an injunction, on the ground that these men were already under contract and therefore he had no right either to approach or to address them. There was a similar case in which a number of Irish labourers were brought over to Whitehaven, and the trade union representative was restrained by an injunction in a similar manner, because the men imported were under contract. It seemed to him very unfair that an employer might recruit a large body of men from outside to take the place of strikers and conceal from them the circumstances of the strike and the issues involved in the quarrel, or the true relations between employers and workmen in that particular district. He was quite aware that there was a doctrine which rested upon two well-known decisions, the Mogul case and Bowen and Hall. Those cases established that if A induced B to break his contract with C he was liable to an action for damages. That proposition was still an essential part of the common law of the country. He knew it was repudiated when first framed by some of our most eminent Judges, and had only received the sanction of the highest tribunal within the last year or two, and this was due to some extent to the feeling excited by trade questions. That branch of the law would not be interfered with in so far as it might arise in relation to trade disputes. For reasons which he had given, it seemed to him essential that this provision should be introduced. He might point out that an action in a Court of law was an action in which malice was the essential element, and it must be the intentional doing of a wrongful act without just cause or excuse.

LORD R. CECIL (Marylebone, E.) said that with a great deal that had fallen from the Attorney-General he did not find himself in disagreement. What he did feel was that if this clause was confined to the cases of men being brought in to take the place of others on strike, it would be quite unnecessary to resist the arguments of the Attorney-General. But the clause was drawn so badly that it would apply to a great many other cases to which no reason had yet been given for applying such stringent provisions. It would apply to all breaches of contract in consequence of a trade dispute. He could conceive that the results might be very serious in the case of those under contract to carry out something of a very essential character, perhaps involving the safety of those engaged in the trade. Such breaches might involve very serious consequences indeed, and there would be no remedy against the person who persuaded others to adopt the course of breaking their contracts. He desired to enter a protest against one observation which fell from the Attorney-General. The hon. and learned Gentleman had said that the doctrine laid down in the case of "Lumley *v* Gye" was not part of the common law. He ventured respectfully altogether to differ. It was always part of the common law. It was quite true that a case never arose until the case of "Lumley *v.* Gye," but surely it was an astounding doctrine to hear from a great legal luminary that the Judges then invented a doctrine which was not part of the common law and applied it to the case before them. The function of the Judges was to interpret the common law, and they did so in that case. He asked the House whether this proposal did not go a great deal beyond the necessities of the case, and whether, if they accepted it, they would not run the proverbial danger of enacting very bad law.

MR. CLEMENT EDWARDS (Denbigh District) said there was some little misconception in the mind of the hon. Baronet the Member for the City of London in regard to this clause. As he understood the provision it was that no one who induced another to commit a breach of contract ought to be liable to a third party for that breach of contract. The second point, he believed, which some of them wished to make was that trade unionists should stand in precisely the same relation to the law in this respect as other members of the community. He would endeavour to show how very wide of the mark in regard to the law at present the hon. Member had travelled. As an illustration he would take the case of a girl who was employed as a milliner or a dressmaker and was under contract for twelve months. She was wooed and won by a young man, and she consented to marry. They married at the end of three months. For the purpose of marrying she broke her contract with her employer. Did the hon. Baronet suggest that the bridegroom was to be liable in damages to the employer for having induced the bride to break her contract? He did not think the hon. Gentleman could possibly go so far. He would take another case. He believed that the hon. Gentleman was a member of the Stock Exchange.

SIR FREDERICK BANBURY: May I point out that the girl would have just cause and excuse for breaking her contract.

MR. CLEMENT EDWARDS said he was quite certain that the hon. Baronet was under a misconception. There could be no just cause and excuse on the part of the person breaking a contract. The girl would still be liable in damages to the employer, but the question was whether there was just cause and excuse on the part of the bridegroom who was to marry the girl. When they got to the point that there should be no just cause and excuse in inducing a breach of contract, they opened the door to a whole series of cases, of which they said the particular case of the union official advising his members was one. The hon. Baronet was a member of the Stock Exchange, and it was incumbent upon him very frequently to advise clients to break contracts and cut their losses. [AN HON. MEMBER: "No."] There might be an unfortunate underwriting contract entered into.

SIR FREDERICK BANBURY: I do not want to interrupt the hon. Gentleman, but I wish to say that I have never advised anybody to break a contract.

MR. CLEMENT EDWARDS said that perhaps they were a little at cross purposes. The hon. Baronet was such a master of finesse that he would not say that he advised a breach of contract, but he was quite sure that, in common with other stock-brokers, when a client placed before him a statement of facts showing that he had entered into an unfortunate contract, he would use a series of arguments which operated on the uninformed mind of the client, and induced him to break his contract. No one had ever suggested that in such a case the hon. Baronet could be liable in damages to the third person with whom his client broke his contract.

SIR FREDERICK BANBURY: The hon. Member is rather casting aspersions.

MR. CLEMENT EDWARDS said he was sorry that his words should be taken in that way. He knew that the kind of thing he was describing constantly happened. In cases for breach of contract over share transactions the expert share broker came along and said that he pointed out certain things to the client which did lead to the breach of contract. He was speaking of things within his own knowledge. He would give one or two further examples. It constantly happened that a client went to a solicitor and pointed out that he had entered into a contract which to the solicitor might appear to be rather an unconscionable one. In consequence of the advice of the solicitor the client broke the contract, and stood the racket for the breach, but no one had ever suggested that the solicitor was also liable for damages for inducing the breach. Or there was the case of a man who entered into a contract to go out to work for three or five years on the West Coast of Africa. His health broke down and he came home and consulted a doctor. The doctor advised him on the ground of health to sacrifice everything, and to throw up his employment in West Africa. There was a breach of contract there for which the man was responsible, but no one had suggested that the doctor should also be liable in damages for the breach. And why? Because it was held in all these cases that there was just cause and excuse on the part of the person advising or inducing the breach. That was exactly the position which, it was understood, prevailed in regard to the trade union official, the expert adviser of the men. Because he was an expert in the matter of industrial conditions and in the matter of economic relations the duty was placed upon him to advise. In giving that advice he should be as immune as any other expert adviser. It was not a new principle they were laying down. They were asking that the principle should apply as to just cause and excuse for interference to the trade unionists on whom was placed the duty of advising, and that they should be placed in the category of those who could plead just cause and excuse. There was another misapprehension in the mind of the hon. Baronet. He seemed to be under the impression that an employer would have no remedy against an individual actually breaking his contract. That was not so. There was no suggestion that the actual breaker of the contract should be exempt from damages for the breach which he himself had committed. It was probably not present to the minds of hon. Members that in recent cases, or a number of them, the employers had first of all got their damages out of the individual workmen by fining them £5 or £6 each for breach of contract. Then they had come against the organisation, not for breach, but for inducing a breach of contract, and owing to a technical rule of law the unions had not been able to set up the defence that the case of the employers was satisfied by their having got damages out of the individual workmen. There was only one further point with which he wished to deal. The noble Lord the Member for East Marylebone had said that it would be possible for unions and workmen by means of the operation of this clause to escape from the law in cases where property or life was jeopardised. Probably the noble Lord had forgotten the clause in the Protection of Property Act of 1875, which expressly provided for the punishment of those who struck where the strike jeopardised life. This clause did not exempt men who struck from the operation of that clause, but simply said that they should not be liable merely because they induced a breach of contract or merely because a breach interfered with an employer's business. Those were the only two grounds on which they were exempt. There were other courses known to the law by which men could be proceeded against in spite of the operation of this clause. There was no attempt here, as there had been no attempt in any other clause of the Bill, to confer a privilege on trade unions, but there was an attempt to bring trade unions back to the ordinary law, to remove them from an exceptional position and to bring them within the operation of the law which applied to every other section of the community.

MR. LYTTELTON (St. George's, Hanover Square) said he had a good deal of sympathy with the clause as it stood, but he thought the speech of his noble friend demanded some reply from the Government. He for one wished workmen and trade unionists to have, as far as possible, absolutely fair play in a strike against employers. He thought if an employer had introduced under contract a large number of workmen to intervene in a trade dispute, it would not be in human nature that those conducting a strike should not greatly desire to address those men and say to them, "Now, here is a matter which is vital to us. The whole interest of our profession or industry is at stake. You are coming in in large numbers and intervening in this quarrel. Are you aware of the damage you must do by interfering?" It was only human nature that they should do that. He for one would be entirely in favour of its being pointed out to these men in clear language what they were doing and how adversely they were acting in their own interests in the struggle. But supposing a strike took place, the merits of which were in doubt, and where a vast quantity of property was at stake, as, for instance, in a coal mine where the cessation of pumping, even for forty-eight hours, might involve a loss of thousands or tens of thousands pounds a day. [AN HON. MEMBER: That case is provided for.] Admitting that that was so, there was conceivably a case in which a large amount of property might be involved, and by which a great inconvenience might be caused to the public. A man might go and say, "I have satisfied myself that I shall be able to induce the men working in that mine to break their contract." Surely that was a case in which some remedy should be provided for.

VISCOUNT CASTLEREAGH (Maidstone) said the speech of the learned Attorney-General was, in some measure, an answer to an Amendment which he had put down on the Paper to leave out the words "that it induces some other person to break a contract of employment or." It would, perhaps, be remembered that these words were put in at the Committee stage on the Motion of the right hon. Member for the Forest of Dean. They were not originally in the Bill introduced by the Attorney-General, and therefore, they should have a clear statement from him as to the reason why he accepted them. He did not agree with the principle of Clause 3, but he thought if these words were eliminated it might be made workable. If they were retained in the clause it was obvious that it would be possible for a trade union to instigate a strike. He knew it was not the desire of the trade union leaders, as a rule, to instigate strikes, but he thought that if these words were left out of the clause it might modify the pernicious consequences which might ensue from a strike. The words might have an effect the greatness and importance of which it would be hard to estimate. It would be possible for an agitator to incite workmen, not merely to break their contracts, but to throw down their tools, while he could look on and escape all the consequences which would follow. Would that be a satisfactory state of affairs? He thought that trade union leaders took an optimistic view of these matters, and that when these restrictions were removed their position would be very difficult. From the remarks which the Attorney-General made a few minutes ago the impression was conveyed that he was anxious to facilitate strikes. He thought it would be far better to put difficulties in the way of strikes, and that opinion was formed from his experience in the north of England and his observation of the attitude of the Board of Arbitration.

Question "That the words 'an act done' stand part of the Bill," put, and agreed to.

*SIR CHARLES DILKE (Forest of Dean) said he only proposed to move formally to insert after "actionable," the words "whether or not malice be alleged," in order to ask his hon. and learned friend the Attorney-General if he still held the same view of the words "that it induces some other person to break a contract of employment or," put in at the Committee stage on the motion of himself, and accepted by the Attorney-General, as he did when he spoke in Committee on August 3rd.

Amendment proposed—

"In page 1, line 25, after the word 'actionable' to insert the words 'whether or not malice be alleged.'"—(*Sir Charles Dilke.*)

Question proposed "That those words be inserted in the Bill."

SIR JOHN WALTON said he was still entirely of the same opinion, and he did not think the words proposed by the right hon. Gentleman were required. The clause, as it stood, was intended to prohibit a certain class of action, and it was the only class of action which could be preferred.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 1, line 25, to leave out words 'as a tort.'"—(*The Attorney-General.*)

Amendment agreed to.

SIR FREDERICK BANBURY moved the omission of Clause 4, the object of which was to prohibit actions against trade unions for the recovery of damages for tortious acts except in certain circumstances. He believed that the other Trade Disputes Bills introduced originally did not go anything like the length of this clause. Those Bills provided that a trade union should not be liable for the proceedings of an agent unless it was proved that that agent was acting with the knowledge and consent of the unions. He thought a good deal might be said for that view, but here there was a great disadvantage in discussing it because that was not the general aspect of the law. In many cases at present a man was liable for the actions of his agent although he did not authorise them or know of them. He believed that the Attorney-General had not only changed the clause from what it was when originally introduced, but that as the clause now stood an officer of a trade union who robbed the funds of the union could not be prosecuted. [MINISTERIAL cries of "No, No."] He thought that that was so. However, the alterations in the existing law made by this clause were so great that it would be necessary to divide the House against it. He could not see any argument for setting up a privileged class. He believed that it was an error to suppose that before the Taff Vale decision trade unions were immune from the law, but supposing, for the sake of argument, that they were, he thought that that was a very wrong state of law, and that they ought to go back and bring the trade unions into the same position with regard to the law as other bodies. He could not understand why the Liberal Party should set up a particular and privileged class. For the last fifty years that Party had posed as the opponents of privilege and monopoly. They had been told from many platforms that privilege and monopoly were espoused by the Tories and that the Liberal Party wished to destroy them. Now, however, it was the Liberal Party who came forward and wished to establish them. They now proposed that a small proportion of the population should be immune from the law and be set above it. They might, it was suggested, do what they liked and use the enormous power entrusted to them to promote acts of violence and intimidation. This was a reactionary measure, which would, in his opinion, rebound and lead to discomfort on the part of hon. Members below the gangway. If hon. Members were going to use their power in this House to pass such measures they would have to face combinations of employers, and big organisations on both sides would face each other. Such a state of things would be inimical both to employers and workmen. The interests of capital and labour were identical, and nothing should be done to promote disputes between them. Supposing these big organisations were formed on both sides, what would become of those who did not belong to either? They would be crushed between the two parties. The clause was one which seemed to him to go far beyond any reasonable demand on the part of trade unions. Trade unions were originally instituted for the purpose of providing sick pay and pensions for the workers, and it would have been perfectly possible for them to protect themselves under the Friendly Societies Act. They had not taken that course for the reason that, rightly or wrongly, they wished to use these funds for strikes or other purposes. No doubt they had a right to take that course provided they did not conduct their trade movements with violence or intimidation and did nothing in breach of the law; but if they did acts for which other persons would be liable to penalties, trade unionists should be liable to the law in the same manner as anybody else. He wished to point out to the House and the country that for the first time in the memory of man Parliament was creating a privileged class, and that was a very wrong thing to do.

*MR. STANLEY WILSON (Yorkshire, E.R., Holderness) in seconding the Amendment thought the Government would very much wish to accept it and so get rid of a clause which had proved a tremendous thorn in their side. He supposed there had never been such an ignominious surrender as that made by the present Government. They knew that they were not in a position to accept the Amendment, but on Thursday they had to listen to Ministers attempting explanations where explanations were absolutely impossible. He could not help thinking that the Attorney-General's cup of bitterness must have been filled to overflowing when he was compelled to put down new amendments to this clause, but at the dictation of hon. Gentlemen below the gangway he was going to be made to drain that cup to the last drop. His belief was that hon. Gentlemen below the gangway were pressing the Government too far. He believed they were making them go much further than the working men and trade unionists of the country wished them to go. [LABOUR cries of "No, no."] Hon. Members said "No, no," but he might be allowed to give them an example. At the last election an hon. friend of his was asked by the trade unionists of his constituency whether he could give his support to a Trade Disputes Bill, and he said he could support a moderate measure. When asked what he considered a moderate measure he laid before them a copy of the Bill of last year as amended by the Unionists after the Labour Members had retired from the Committee room, and told them that he could support that measure. They looked through it carefully and said that if he were prepared to support it they were entirely agreeable. That, he thought, was sufficient to show that the Labour Members were pressing the Government too far.

MR. JOHN WARD (Stoke-on-Trent): Who was it and where was it?

*MR. STANLEY WILSON said he had not his hon. friend's authority to give his name. He trusted the House would take his word. The story was told him first hand by his hon. friend. There was no wonder that hon. Gentlemen below the gangway were proud of the victory they had achieved. They were able to go back to their constituents and say—"We are the men who have coerced His Majesty's Government and have pulled the strings and made the puppets on the Ministerial Bench dance to the tune we called."

He was one of those who pledged himself at the last election to support a moderate Trade Disputes Bill, and he should have made no objection to the measure as originally introduced. He was in favour of the principle of that Bill, but now it was absolutely impossible for him to give it his support. He knew there were many Ministerialists who agreed with the views of the Opposition with regard to this particular clause, and he thought it would be well if they showed a certain amount of courage and supported the opinions they had openly expressed outside. He supposed, however, that at the crack of the Party whip they would be brought into line and be forced to vote in support of the clause.

Amendment proposed—

"To leave out Clause 4."—(*Sir F. Banbury.*)

Question proposed, "That the words 'An action against a trade union' stand part of the Bill."

MR. STUART WORTLEY (Sheffield, Hallam) said that it must be sorrowfully admitted that at this stage there did not appear much more to be said than had been said before on this clause. That was not because the arguments were not many and weighty as applied to the clause, still less was it because they had been adequately met or answered. Really the net amount of what they had to consider in the present debate was that extremely exiguous quantum of justification which had been offered them from the Government Bench since the surrender of which his hon. friends had spoken and since the speeches were made upon the alternative scheme by the Secretary of State for War and by the Chancellor of the Exchequer. The Attorney-General had stood to his guns and made the best of a bad job, but what did the justification offered by various members of the Government amount to? Had any one advanced in favour of the privilege proposed to be created by this clause a single argument that would not apply to any other corporation? It was said that this was a case in which the law of agency operated harshly, because the members were widely scattered. But the shareholders of the London and North-Western Railway lived all over the world, and, after all, the members of a trade union had the same means as other bodies of withdrawing their confidence from their executive.

AN HON. MEMBER remarked that trade unions did not trade for profit.

MR. STUART WORTLEY said that was so, but where there was power there ought to be responsibility. Then it was said that the agents of a trade union who might behave in a negligent or tortious manner lived at a great distance from the central executive, and, therefore, it was difficult to control them. But the London and North-Western Railway Company was made liable if one of its engine-drivers was guilty of negligence as far north as Carlisle. The argument applied in the case of every corporation or trading company, whether trading for profit or not. The legislature had given to the unions every attribute of a corporation without giving them the name, and the question was whether the equities and the moralities of the case did not demand that these bodies should not now try to have it both ways. Were they to be allowed to have all the advantages of incorporation, and to stand none of its liabilities. The mere fact that trade unions did not trade for profit, did not distinguish them from other corporations. The clause was objectionable, and ought to have been adhered to in the form in which it was originally proposed by the Government.

SIR JOHN WALTON said he did not wish to traverse any ground over which this House had laboured already, but there was one observation he would like to make which if not made now would lose much of its importance. The hon. Baronet had over and over again said this Bill constituted a new departure in legislation. There had been both in the House and in the Press, repeated utterances denouncing the Bill as creating a new class privilege. He wished to explain to the House that that was a complete misconception of the legal position of the measure. Whatever he had said with regard to any new proposals had been said with regard to legislation in the future. So far as the past was concerned, everybody would admit that, historically, the precedent they had in the Acts of 1871 and 1875 would amply support this measure. He was quite aware that the law as created by those provisions must be finally and authoritatively construed by the House of Lords, but this House had had recent and bitter experience of the fact that Parliament might desire to create one thing, and that lawyers might decide that it meant quite another, and the experience which they had had with regard to the legislation of 1902 could historically be shown to be equally relevant to the legislation of 1871 and 1875. He said without fear of challenge from either lawyer or constitutional historian that Parliament in 1871 and 1875 intended to create this immunity, and according to the general assent of politicians and lawyers of that date, and of a whole generation of their successors, down to the year 1901, this immunity had, in fact, existed, and had legislative authority. He was quite aware that to adduce evidence of this would involve quotations from speeches, from history, and from biographies. But it was perfectly obvious that the Liberal Government of 1871 intended to give this immunity, and that the Tory Party in the palmy days of 1875 adopted the charter of their predecessors. That it was not the intention of the Government to do more than perpetuate the historical traditions of the last thirty years in regard to the treatment of trade unions would be generally accepted by a great majority of the House. He would refer to a decision which was infinitely more authoritative than any words of his own—the decision of the Court of Appeal in the Taff Vale case. The decision of that tribunal was reversed by the House of Lords, and as a lawyer he accepted as the construction of the Act of Parliament the decision of the House of Lords; but as an historian and as a Member of that House desiring to get at the intention of the Legislature thirty years ago, he preferred the language of the Court of Appeal. That Court solemnly, unanimously, and clearly came to the conclusion that not only did Parliament intend to create this charter, but that the language of the statute was sufficient for the purpose. Was it not perfectly clear, therefore, that Parliament did wish to deal separately with trade unions in the past and give them the benefit of registration? They were not a legal entity, and not being a legal entity they could not be sued. Having created this state of things, Parliament went on to provide that in respect to a certain class of offences involving tort and breach of contract an action might be brought against the trustees of a trade union. While he did not shrink from defending the proposals now before the House, he wished to make it clear that on the ground on which they were defended by the great majority of the House they were amply warranted. That ground was not the opinion of Parliament to-day, but the opinion of Parliament and of both parties in the State many years ago, confirmed by the continuous record of thirty years of our history. The lamentations in the Press over this proposal left out of sight the liabilities under which trade unions rested by reason of the legistation of 1871.

MR. F. E. SMITH said, in reference to an observation of the Attorney-General as to the weight of legal opinion, there was certainly no one whose opinion on a matter of law they would listen to with greater respect than that of the Attorney-General, and he did not need to reinforce that opinion by the statement of any Judge. Of course it had always been received, and always would be received, with the profoundest respect. But a rather different class of case arose with reference to an observation made by the Attorney-General and another hon. Member on the Ministerial side on the subject of incorporation. It was very desirable, when they discussed the question of incorporation as a proposal to modify the legal position of trade unions, that they should be quite sure that they understood what trade unionists wanted, and, secondly, it was very desirable that trade unionists should make up their minds what they really did want. If, under no circumstances would they accept incorporation, it was perfectly futile for them to rise and say they ought to have special privileges because they were not incorporated, or to allow supporters to make appeals *ad misericordiam* on the special ground that they were not incorporated. He did not think there was a person familiar with the history of trade unions, or with legal questions affecting incorporation, who would not be prepared to grant incorporation to trade unions if they wanted it. Anybody who had studied the history of the question was well aware that trade unions would not accept it if it were offered them tomorrow. He asked them on the Second Reading if they would, and they frankly said they did not desire incorporation. Surely, therefore, the demand for special treatment on the ground that they were not incorporated might be dropped. They had been told by the Attorney-General that the immunity proposed to be conferred by this clause had been believed by all parties familiar with the question to have been possessed by trade unions ever since the legislation of 1870. It was wearisome and no pleasure to them to meet what the Attorney-General said to-day with what he had said on a previous occasion, and he did not think there was any desire on the part of the Opposition to take further advantage of the modification of the position, but the hon. and learned Gentleman had himself dealt in a most worthy manner with that point and had examined in detail the legal arguments with which he now entertained the House. He had said it might be a prescriptive right which trade unionists had enjoyed for over thirty years and which they ought to continue, but "historically there was no foundation for that argument."

SIR JOHN WALTON said that he pointed out that they could not carry that prescriptive right further than 1892.

MR. F. E. SMITH said that he thought the Attorney-General would agree that in 1892 there were some lawyers who thought that an action could be brought against a trade union. Reference had been made to Professor Dicey's letters in the Press. He had pointed out that as the clause stood no action could be brought against the trustees of a trade union if they were to lend a motor-car to a Labour or trade unionist candidate, and if that vehicle were driven over a child. [AN HON. MEMBER: "Nonsense."] He heard an hon. Member who was not a lawyer express disapproval in an unusual manner, but if the clause had not that effect he should be pleased to hear what the limiting words in the clause were.

SIR JOHN WALTON observed that action would probably lie under Section 9 of the Act of 1871.

MR. F. E. SMITH submitted that without some Amendment no action could be brought against a trade union in the event of such an accident as he had indicated; if the Government contemplated that actions for tort of that kind could be brought against the trustees of trade unions, they had fallen short of granting that immunity to trade unionists which the hon. Gentleman below the gangway believed they had obtained. There was, at any rate, some ambiguity in Clause 4 as to whether in its present form an action of that kind would lie. If it were in such a form as to prevent such an action being successfully brought, it would amount to a monstrous immunity.

MR. LYTTELTON said the Attorney-General had made a very interesting speech with regard to the historical aspect of this question. He was complimented a short time ago for his courage in this matter, and he certainly thought it was courageous to present the historical argument, having regard to his attitude a few day ago. It surely would be insulting to the Attorney-General and to the Secretary of State for War to assume that this clause as it now stood was merely introducing the policy of the Governments of 1871 and 1875. It had been said that the House was only going back to the pre-Taff Vale condition of things. That was not so. Before the Taff Vale decision there a general impression—it was certainly the view of the legal profession—that the funds of a trade union were immune. It would have been perfectly easy for the Government, if it had been their *bona fide* intention, to have re-created that state of things. They had not taken that course. Not merely was the immunity of trade union funds secured, but at the bidding of one of their supporters the Government had accepted the excision of the remedy by injunction against a trade union.

SIR JOHN WALTON, on a point of order, asked whether the right hon. Gentleman was entitled to discuss the clause on the assumption that certain Amendments, neither adopted by nor explained to the House, formed part of the clause as it now stood. The right hon. Gentleman was criticising alterations in the clause that had neither been moved nor explained.

MR. LYTTELTON said that he was answering the arguments of the Attorney-General's speech wherein he attempted to show that there had been no change of policy on the part of the Government.

*MR. SPEAKER said that if the discussion were not taken now it might lead to further discussion on the clause as amended. He thought that this would be very undesirable.

Mr. LYTTELTON said the argument of the Government last week was that their position was justified by the fact that for thirty years a certain condition of things was believed to be the law, and that condition of things they were going to restore. But he wanted to show the House that the Government had gone far beyond this position. The Government had not only provided for the immunity of trade union funds, as existed before the Taff Vale decision, but they had introduced a new provision to the effect that there should not be an injunction against a trade union; that was to say, the funds were to be immune and the trade union was to be immune in respect of an action brought by any one to restrain them from perpetrating a wrong. That was a very serious alteration in the law, and it was not the condition of things that prevailed before the Taff Vale decision. It was not merely the immunity of trade unions again established, which many would be in favour of, but also the remedy by way of injunction against trade unions removed.

Mr. SAMUEL EVANS (Glamorganshire, Mid.) said that the substance of the matter was surely whether or not trade unions funds should be immune, and if they were to be immune it did not very much matter by what machinery that immunity was created. The ante-Taff Vale position as it had been understood until two or three years ago. was much more nearly approached by the clause under discussion than by the clause formerly introduced. The ante-Taff Vale position was understood to be, first of all, that funds of trade unions were immune, and in the second place, that trade unions as such could not be sued, and to this day lawyers who had been discussing the matter had failed to find a word for the body which was called a trade union. It had been pointed out that it was not a corporation or a legal entity. The late Lord Chancellor, who was a very able Judge, besides being a man of imagination, could not call it by any other name than a "thing." That was the ante-Taff-Vale position—"a thing" which could not be sued. He was very glad that a decision had been arrived at by taking the collective opinion of those who were anxious to do the right thing, and undoubtedly that opinion was that the best way was to go back to the ante-Taff Vale position, and not only safeguard the funds but also make it impossible for the union to be sued. With regard to action for injunction, that sort of action could create exactly the same kind of mischief against a trade union as an ordinary action; and would make a trade union open to what happened in the case of the Denaby Main Colliery Company. It would enable a master to buy over a member of a trade union, in order to bring an injunction, and put an end to the strike and defeat the weapon which the workmen had against the masters. He might mention the case of a man named Howlett, whose wages were about £1 a week. He was a member of a trade union in Yorkshire, and the employers said to him, "We will make it worth your while to come over to us; we will give you £4 a week to the time of this action," and in that way the employers were able to use one of the union men who was willing to sell himself for purposes of an action such as the right hon. Gentleman wanted to perpetuate.

Mr. LYTTELTON: An action by injunction puts an end to the perpetration of wrong. An action against a trade union for damages causes an abstraction of innocent people's money from their pockets.

Mr. SAMUEL EVANS said that such things as he had described had occurred and the men had been defeated, because there had been a technical breach of rule. Strikes ought to be conducted with fairness. If there was to be a battle the weapon must not be struck out of the hands of one of the parties, and left in the hands of the other. The bogey had been set up that the trustees of a trade union could not be held liable for damage done by the property of the union. In the case of damage done by a cart belonging to a union, or by the falling of a house, or by other property vested in a union, an action could be brought against the trustees in respect of damage. Whether the proviso were in or out, Clause 9 of the Act of 1871 should not be repealed. The policy of the Government was properly carried out by the clause in the form in which it now stood.

MR. A. J. BALFOUR said he was not quite sure that he apprehended the opinion expressed by the Speaker in regard to the question put by the Attorney-General. He wanted to know whether they would be at liberty, or whether it would be convenient, to discuss in detail and at length the clause as amended or the clause as it now appeared on the Paper.

*MR. SPEAKER: It is open for hon. Members to discuss the clause as it will be amended, because the Amendments which the Government have put down are likely to be carried, and with that probability it would be futile to discuss the clause on the assumption that none of the Amendments proposed by the Goverment are likely to be carried. Such a discussion as that would not be a real or genuine discussion, and therefore hon. Members are entitled to assume that the Government Amendments will be carried, and to discuss the clause in the form it will take supposing the Amendments to be carried.

MR. A. J. BALFOUR: I suppose the House will not be precluded from discussing the Amendments as they come up?

*MR. SPEAKER: As each Amendment comes up it will be open to discussion and to a division upon it.

MR. A. J. BALFOUR said that the Government had had three policies in regard to this clause. Originally they did not propose to restore the ante-Taff-Vale position. At the end of the Committee stage that became their purpose. Now they proposed to extend the ante-Taff Vale position still further. Hon. Members below the gangway had said that they would be content with the provision that trade union funds should not be touched. But now trade union officials were to be permitted to do a wrong and to go on doing it, when it was admitted to be a wrong; and the Courts were to be compelled to sit by, silent and helpless.

MR. SHACKLETON (Lancashire, Clitheroe): That is not our demand.

MR. A. J. BALFOUR said he was glad that that intention was repudiated. But would the Government's proposals give effect to the repudiation? What did the Attorney-General mean by his eulogy of the policy of 1871 and 1875, and of "the palmy days of Toryism?" The hon. and learned Gentleman, by his own confession, was quite as great a traitor to the palmy days of Liberalism. He was one of the backsliders—a brand plucked only two or three weeks ago from the burning. He made no reproach to the hon. and learned Gentleman; but why did he of all people get up to lecture the Opposition? If the Opposition were to sit in sackcloth and ashes, let the Attorney-General join their company. If they on that side had to stand in a white sheet let the hon. and learned Gentleman borrow that garment. His reproaches were not very relevant to the issue before the House. He rather agreed with his learned friend that on the present occasion they needed not to spend time in reproaching the Government for their change of front. They had done it before, and they would probably do it again on the Third Reading. He knew that the Government wished that they could have found Members to approve of that change; he would have wished that all the members of the Government had spoken in favour of it. At all events, the Government had entirely altered their view and now admitted that the Bill as originally framed was wrong. Therefore, he left the personal question on one side. The really important question they had to discuss, besides the general immunity of the funds, was the one raised by his hon. and learned friend near him. He did not think after the interruption with which he had been received by the Government and their supporters that they were in agreement as to the actual effect of the words put down by the Government; and they could not discuss the effect of them until they were moved and explained by the Attorney-General.

MR. CLEMENT EDWARDS said that the right hon. Gentleman had declared that the officials might go on doing wrong without any restraint; but the only question that arose was that the clause would not apply to the unions *qua* unions, but to the officials. Again, the right hon. Gentleman seemed to have thoroughly misconceived the position as affected by the Taff Vale decision. Previous to that decision they could not sue a trade union for damages or for an injunction, because it was neither a corporation nor a person. Therefore, what they wanted was to get back to the ante-Taff Vale position under which the union was not suable. It had been suggested by the right hon. Member for Sheffield that a trade union was a corporation like the London and North Western Railway. It was quite true that the practical effect of the Taff Vale decision was to saddle trade unions with the liabilities of corporate bodies; but he maintained that by the express enactment of Parliament in 1871, trade unions were shut out from corporate rates and powers.. He asked the right hon. Gentleman, if he supported a proposal to convert trade unions into corporate bodies with all the rights as well as the liabilities of corporate bodies, would he support a proposal to give the trade unions power to enforce rights *inter se*, the power to force upon unwilling members who might be discontented with the proposed strike the payment of contributions to their unions? If there was anything more than the ante-Taff Vale position to be secured by the Amendments he had moved, he would not support them. He asked hon. Members to point out a single case prior to the Taff Vale decision where a mere aggregate of persons was held liable for anything done by its members or agents. [Cries of "Divide."]

Question put "That the words in an action against the trade unions," stand part of the clause.

The House divided, Ayes, 342; Noes, 72. (Division List No. 373.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Ambrose, Robert
Ashton, Thomas Gair
Asquith,Rt.Hon.HerbertHenry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A.(Finsbury,E.)
Baring, Godfrey(IsleofWight)
Barker, John
Barlow, J. Emmott (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hon.H.(Eastbourne
Beaumont, Hn.W CB.(Hexham
Beck, A. Cecil
Bell, Richard
Benn, SirJ. Williams (Devonp't
Benn, W.(T'w'rHamlets,S.Geo.
Berridge, T. H. D.
Bertram, Julius
Bethell, J.H.(Essex,Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, ArthurW.(Bedfordshire)
Boland, John
Bolton, T.D.(Derbyshire,N.E.)
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh)
Brunner,Rt.HnSirJT(Cheshire)
Bryce, Rt.HnJames(Aberdeen)
Bryce, J.A.(Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Buxton, Rt.HnSydneyCharles
Byles, William Pollard
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Chance, Frederick William
Channing, Francis Allston
Cheetham, John Frederick
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, SirT.Glen(Renfrew,W.)
Cobbold, Felix Thornley
Corbett,CH.(Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crooks, William
Crosfield, A. H.
Cross, Alexander
Dalziel, James Henry
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Duncan,Robert(Lanark, Govan
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Evans, Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Flynn, James Christopher
Freeman.Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Ginnell, L.
Gladstone, Rt.HnHerbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie

Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gurdon, Sir W. Brampton
Hall, Frederick
Hammond, John
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope, W.Bateman(Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones,Sir D. Brynmor (Swansea
Jones, Leif (Appleby)
Jones, William (Carnarvonsh.)
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman.
Law, Hugh A. (Donegal, W.)
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald,J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macpherson, J. T;
MacVeagh,Jeremiah (Down, S.
MacVeigh,Charles (Donegal,E.)
M'Callum, John M.
M'Crae, George
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Marks,G.Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morley, Rt. Hon. John
Morrell. Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson,Charles N.(Doncast'r
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien,Kendal(Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Grady, J.
O'Kelly,James (Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk, Eye)
Perks, Robert William
Philipps,Col Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, C. E. (Edinb'gh,Central)
Price,Robert John(Norfolk, E.)
Priestley,W.E.B (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rendall, Athelstan
Richards, T.F. (Wolverh'mpt'n
Richardson, A.
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,Rt. Hn. E. (Dundee
Robertson,Sir G Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Schwann,Sir C. E. (Manchester)
Scott,A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Smyth, Thomas F.(Leitrim, S.)
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley,Hn.A Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edw. (Salisbury)
Tennant, H. J. (Berwickshire)
Thomas,Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.
Thomas,David Alfred(Merthyr
Thorne, William
Torrance, Sir A. M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Villiers, Ernest Amherst
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward,W.Dudley (Southampt'n
Warner, Thomas Courtenay T.
Wason, Eugene (Clackmannan)
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
Weir, James Galloway
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hn. C.H.W. (Hull, W.)
Wilson, J. H. (Middlesbrough)

Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Woodhouse, Sir J. T (Huddersf'd
Young, Samuel
Yoxall, James Henry

Tellers for the Ayes—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood, Rt. Hn. Sir Alex. F.
Anson, Sir William Reynell
Balcarres, Lord
Baldwin, Alfred
Balfour, Rt. Hn. A. J. (City Lond.)
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.
Bignold, Sir Arthur
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Butcher, Samuel Henry
Carson, Rt. Hon. Sir Edw. H
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Coates, E. Feetham (Lewisham
Collings, Rt. Hn. J (Birmingham
Corbett, T. L. (Down, North)
Craig, Charles Curtis (Antr'm, S.
Craig, Captain James (Down, E.
Craik, Sir Henry
Dalrymple, Viscount
Dixon, Sir Daniel
Douglas, Rt. Hon. A. Akers-
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hervey, F. W. F. (Bury S. Edm'd
Hill, Sir Clement (Shrewsbury)
Kenyon-Slaney, Rt. Hon. Col W.
Kimber, Sir Henry
Liddell, Henry
Long, Col. Charles W (Evesham
Lonsdale, John Brownlee
Lowe, Sir Francis William
Magnus, Sir Philip
Mildmay, Francis Bingham
Nield, Herbert
O'Neill, Hon. Robert Torrens
Parker, Sir Gilbert (Gravesend)
Parkes, Ebenezer
Pease, Herb. Pike (Darlington)
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall)
Rothschild, Hn. Lionel Walter
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Smith, Abel H. (Hertford, East
Smith, F. E. (Liverpool, Walton)
Smith, Hon. W. F. D. (Strand)
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Turnour, Viscount
Valentia, Viscount
Warde, Col. C. E. (Kent, Mid)
Wilson, A. Stanley (York, E.R.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hn. C. B. Stuart-
Younger, George

Tellers for the Noes—Sir Frederick Banbury and Mr. Rawlinson.

Sir JOHN WALTON moved to leave out "or any branch thereof." These words which had been introduced would somewhat interfere with the clearness of the clause, and therefore he moved their omission.

Amendment proposed—

"In page 2, line 4, to leave out the words, 'or any branch thereof.'"—(*Sir John Walton.*)

Amendment agreed to.

Sir JOHN WALTON next moved to leave out the words "or officials." He said it was a purely drafting Amendment and would not have the smallest limiting effect upon the clause or upon the Bill. The House would observe that the clause was intended to refer to all actions against trade unions "as such." There were only two forms of action known to the law which had been or could be brought against trade unions. One was an action say against a dozen men who were members and the other was a representative action against a defendant who was sued on behalf of himself and the body. These words "or officials" were not necessary because there might be an official who was not a member, He had consulted those who were more engaged in Chancery practice than he was, and he was assured that these words were not necessary, because no official could be sued unless he was a member. Therefore, in the interest of legal accuracy and of the English language it was necessary that the words should be omitted. It would be ridiculous to make officials who were not members liable, and for these reasons he asked the House to accept the Amendment which would not make one iota of difference in the clause.

Amendment proposed—

"In page 2, lines 5 and 6, to leave out the words, 'or officials.'"—(*Sir John Walton.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. CLEMENT EDWARDS said he very much regretted that in this matter he found himself compelled to oppose the hon. and learned Attorney-General. The omission of these words 'or officials" would in his judgment entirely re-impose the mischief which he had sought to get rid of by his Amendment striking out the proviso. He quite agreed with the hon. and learned Gentleman that in the ordinary way there were only two methods of procedure known to the law, one to sue the trade unions as a body and the other to sue a certain number of members on behalf of the other members. There was, however, a third method of procedure laid down in the Trade Union Act of 1871, which expressly provided in certain events that an action might be brought against an official or against a trustee, and it had laid down by Mr. Justice Mathew that there might be an action for tort against such officials. If these words were deleted, although a union could not be sued in its registered name, and its opponents could not, as was expressly decided by the Taff Vale decision, sue the members on behalf of others in a representative action, if they could take two or three officials and not make the action a representative one, they got over again the whole mischief against the union which it was the object of this clause to remove. There were three doors by which opponents could get into the trade union house; the front door under which the union was sued in its registered name; the side door in which a certain number of members were sued in a representative capacity; and the back door—which would be left open by the deletion of these words by suing the officials. He therefore begged the hon. and learned Member carefully to reconsider the position and not to consider this as a mere drafting Amendment. It might be that he should have one or two hon. and learned friends from the Chancery side getting up and saying "You cannot treat it as a representative action unless you have the officials." He quite agreed, but the machinery they were aiming at by the omission of these words was not the machinery of the old Chancery Act, but of the Act of 1871. He would remind the House that in the Taff Vale decision this very point was dealt with by Lord Justice Lindley, who in his judgment expressed himself as having no doubt whatever that if a trade union could not be sued in its registered name, some of its members, namely its executive committee, could be sued on behalf of themselves and the other members of the society, and an injunction or damages obtained in such a case. He further expressed his opinion equally plainly that if the trustees in whom the property of the society was vested were joined in the action an order might be made against them for the payment of all damages and costs. By taking out these words they were going to get at the trustees. His opinion was if these words were struck out, then for the purpose of securing safety and immunity to the trade unions Clause 4 was not worth the paper it was written on.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean) said these words were inserted on his Motion. He moved the insertion of the words, and in doing so he was guided by advice as good, he believed, as could be given by anyone. But the words had become connected with the proviso, and the questions whether these words were kept in and whether the proviso was kept in were inter-connected. His own impression as the matter now stood was that the words were on the whole desirable, and it was for that reason, for the reason of clearness, that he moved them. He had as yet altogether failed to hear any argument as to why it was necessary to strike them out. If a doubt existed in the minds of many lawyers on this side, and if the words did no harm, then he thought they might be retained. There was one argument, which he had heard privately, tending to show they might do harm, but unless that was known he did not see how the House could vote against the words with their eyes open.

SIR JOHN WALTON said he did not refer to the argument to which the right hon. Baronet referred, because it did not seem to him the true explanation and reason why these words should be omitted. When he moved to omit these words he did so merely to give legal accuracy to the language. It would be idle for an official who was a non-member of a society to be made a party in any action. There were officials who were not members, and it was with a view of meeting that case that he left the words in. A representative action such as had been described was an action in which an official could not be sued. The right hon. Baronet said there had been arguments advanced to him in private; they had of course reached his (Sir John's) ears, and he admitted there was this danger. If these words were left in, the original proviso would have to be reconsidered. He agreed to omit the proviso because it was introduced in the clause as framed in Committee. In his opinion there was nothing in the clause which interfered with Section 9 of the Act of 1871, but he had read in the Press an elaborate and ingenious article, founded largely upon the marginal note for which he was not responsible and eked out by the word "proviso," which was intended to demonstrate that the object of the Government was to take away with one hand all that they had given with the other, and it was in order to destroy that fear and because he thought the proviso had become a source of danger, that he proposed to omit the words. He did not think it mattered very much. If it was thought that these words were required let them stand. But if they did that they must restore the proviso, because if the words stood it would be urged by some ingenious members of the legal profession that by these words "of officials" it was intended to prevent an action being brought against trustees of a trade union who were officials—that inasmuch as by the provisions of the Act of 1871 in a specified class of cases actions might be brought against officials, therefore Parliament meant to abolish Section 9 of that Act. It was in no way the intention of Parliament to do anything of the kind. They did not want to do it directly and they would be ashamed to do it indirectly and in a sinister manner. In his view it was a mischievous piece of drafting to leave these words in, because, if officials were members they could be described as members, and if they were not members they could not be made parties to an action. And it would be very objectionable if it could be made the foundation of the argument that the Government intended to repeal Section 9 of the Act of 1871. He wanted to hear no better argument of the danger of leaving these words in. The only construction he could put on the speech of the hon. Member behind him was that the hon. Gentleman wished to abolish Section 9 of the Act of 1871. If that was not its meaning it could have none. Therefore, inasmuch as he was quite sure they were all at one in this matter, he thought no harm could attend the omission of these words. It was obvious they served no useful purpose and therefore they should be omitted.

Lord R. CECIL said his impression was, and he spoke with all deference, that the hon. and learned Attorney-General was right. But he thought they were entitled to a clear explanation in the matter. If they supported the Government in this was the Government going to recommit the Bill and were the Opposition to be thrown over for the Labour Party, because that had happened before? He did not agree with the hon. Member for Denbigh, but he did not think the hon. Gentleman wished to abolish Section 9 of the Act of 1871. What he understood him to say was that if it was wished to bring an action against an official the same action could be brought as was brought in the Taff Vale case. The hon. Gentleman had referred to the judgment of Lord Justice Lindley which seemed to have some bearing on the point. But he did not think the hon. Gentleman wished to abolish Section 9. He thought this was an important point in regard to the position of trade unions, and if the Government struck out a new line with the Labour Party on it he would support them.

Mr. SAMUEL EVANS said he had listened closely to the hon. and learned Attorney-General who had very nearly converted him, but not quite. He was quite sure that the aim they had in view was the same. If they left out the words "or officials" it might be argued that they must repeal Section 9 of the Act of 1871, but that was a small point. His hon. and learned friend's argument rested entirely on this, that they could not bring an action against an official of a society unless he was a member of that society. All trade union rules were not known to the House, and it was quite possible that there might be officials who were not members of the trade union. He understood from hon. Members opposite that that was so. But he did not think it at all followed that the word "member" should include the word "official" any more than that the word "shall" should include the word "directly." Therefore, if it was made clear that Section 9, of the Act of 1871 which in respect to actions for tort did not clearly prohibit any claim on the assets of a society, was not repealed, he should be glad if the hon. and learned Gentleman would retain these words, because they wanted to shut the door altogether against societies being sued. If he were a Judge and the right hon. and learned Gentleman were to argue this before him he should not decide this in his favour. But there were Judges and Judges, and there might be Judges who would decide that they might sue a trade union through its officials because the word "official" did not occur in the Act of Parliament.

MR. STUART WORTLEY asked the Attorney-General whether, in the case of the trustees being made members of a union, an action against them under Section 9 of the Act of 1871 would not be held to be an action brought against them on behalf of themselves and all other members of the trade union. In that case an object which all would deprecate might be indirectly brought about.

SIR JOHN WALTON said that permanent members, such as the treasurer or the secretary, would be selected. As to the liability of the trustees, they were were only sued when they were officers appointed by the society for the purpose of being sued in the special class of cases mentioned in the section.

MR. ATHERLEY-JONES said that in the main he agreed with the view which the Attorney-General took. He wished to point out, however, that they could not sue an official on behalf of himself and all other members. They could sue him as the representative agent of the society, but not in any other direction, and that was not what this section provided against. The only difficulty he felt was that under Section 9 of the Act of 1871 it was provided that an action might be brought against a trustee or an officer in respect of property belonging to the society. If he understood the Attorney-General rightly upon a former occasion he conceived that, under Section 9 of the Act of 1871, a man could be sued for actions of tort in relation to a trade dispute. He was under the impression that that section referred solely to actions for breach of contract. He thought it was rather a startling proposition to say that Section 9 of the Act of 1871 covered actions of tort. If that were so, let them suppose that an action was brought against an official and the word "official" was left out. It might be said that they could bring an action against an official, but Section 9 would stand, and it allowed actions of tort being brought against officials. If it only covered actions for contracts then the action fell to the ground. He thought, on the whole, it would be desirable to retain the word "official" if the proviso was retained, and it must be necessary to retain the proviso. He did not think any difficulty would arise if the word "official" were preserved.

MR. RUFUS ISAACS (Reading) said it appeared to him that this question was not of such great importance as some hon. Members appeared to think. In his view it was only a question of drafting. The only difference between them was how they could best arrive at the words which would correctly interpret what was the intention of the majority of the House. He deprecated very strongly the views of lawyers being expressed on both sides of the House as to the construction to be placed upon these words when they were dealing with a scheme of legislation designed to avoid all further discussion as to what the law was to be in the future. The mere fact that there was some division of opinion amongst lawyers and some uneasiness aroused in the minds of hon. Members was a good reason for seeing if they could keep the words in, and carry out what was the intention of the Attorney-General. He would suggest that they should, first of all, see what was intended, and, when they had arrived at that, see whether it was not possible to use words which would satisfy both the Attorney-General and those who were uneasy about the clause as at present proposed. As he understood the object, it was this. First and foremost no action was to be brought against a trade union, and he thought that was clear. Then it was stated in the clause that no action was to be brought against members of a trade union or officials. The difficulty introduced by the word "officials" was that if they kept the word in it must apply to trustees. It was impossible to say that the use of the word "officials" did not cover trustees. If it applied to trustees they must look to the next words "on behalf of themselves and other members." If they said that an action should not be brought against members of a trade union they were not covering the case of the officials. He agreed with what fell from the Attorney-General as to the construction which should be placed upon these words, and that they should not be construed as giving a right to bring an action against trustees on behalf of themselves and all other members. He had had too much experience of the Courts of law not to know that what one thought was a clear construction of the statute might not be the view held by a Court, and, however they might express their views in this House as to the meaning of a clause, that was of no avail when it came before the Courts of law, which only dealt with the words of the Bill. Why were the words "or officials" desired to be left in? He understood it was for this reason. They wanted to prevent actions being brought against trustees or other officials who might not be members of the union. They wanted to make it quite clear that under no circumstances should the funds of the union be reached by an action against the trustees or officials who were not members of the union. The words ought not to be considered as enabling an action to be brought against them as representing the members of the union. He would say keep the words in if the Attorney-General saw no objection, provided that they retained the proviso of the Act of 1871, with the addition of words to make the intention of the House absolutely clear. It was not intended that trade unions should be immune, or that trustees should not be sued, for example, for a libel published in a newspaper which was their property. Although his hon. and learned friend might be quite entitled to question the decisions of the Courts and to think they were not the right view to take, nevertheless they were the law as laid down.

MR. ATHERLEY-JONES said he did not suggest that it was not the right view of the law. He suggested that the action referred to did not decide the law against trade unions. It decided that certain funds which belonged to the trade union could be attached as the result of an action of tort brought against members of a trade union.

MR. RUFUS ISAACS said that what the hon. and learned Gentleman had stated was a confirmation of the view which he had expressed. They might have an action brought not against a trade union, but against the trustees of the union for the purpose of attaching the funds of the union, and the trustee might be ordered to hand over the funds to the person making the complaint. He did not care what kind of action they called it, but what they did recognise was that somebody had brought an action for tort and had got payment out of trade union funds for it, and what he was discussing was how far they could prevent that and maintain at the same time the liability of trade unions to pay out of their own funds in respect of any action for tort or damage done arising out of or concerning the property which belonged to the trade union. When they were as far as that it did not seem to him that there was very much between them. They started by no action against trade unions, and it was intended that the trustees should be liable for torts directly concerning or attaching to property. They did not desire immunity from that, and they were ready to pay for any damage that they might cause which arose directly out of the use which they might make of their property. What trade unions wanted to be preserved against, and what this House intended to preserve them against, was the possibility of their funds being used to pay for a tortious act committed by them which did not arise in any way out of the use of their property, or for something which might arise in connection with a strike in contemplation or in furtherance of a trade dispute. If words could be introduced, which he thought there would be no difficulty in devising, for the purpose, first of all of keeping the words "or officials" and retaining the proviso he thought that would meet the case. They wanted to introduce words which would meet every point of objection which had been raised on both sides of the House. He thought the course he had suggested would reconcile the views of the hon. Member for Denbigh Boroughs with those other hon. Members, and would also carry out the expressed intention of this clause. What the House, after all, desired, and was determined to do, was, when it had the opportunity of dealing with this question as it now had, to take care that the question should not pass out of its hands without the position being made so clear that there could be no possibility of misconception hereafter as to what Parliament intended. If, therefore, they could by some such expedient as he had suggested satisfy hon. Members who objected to the deletion of these words, then it merely became a question of drafting, and they would be really doing what the vast majority of the House intended should be done. He suggested that words should be added at the end of the proviso in Clause 4 which would keep in Section 9 of the Act of 1871. If they left in the words "or officials" they might cause some uneasiness which he thought was unnecessary, and it might be thought that an action could be brought against the trustees of a union for a tortious act which had been committed by someone who was not a trustee of a union. It might be said that during a strike one of the officials, not a trustee, had committed a tortious act. They could not sue the trade union, they could sue the officials, but there was a proviso that the liability under Clause 9 of the Act of 1871 should not be affected in any way by the preceding words of Clause 4. If that was the case then this argument would be of use, and although he disagreed entirely with it, he did not think they ought to disregard it. Observations have been made in the cases referred to which might be construed as indicating that an action might be brought indirectly in that way, so as to get at the funds of the union, by suing the trustees. When they had sued the trustees the next step was that they got indemnity from the trustees out of the funds of the union. If they had no words as he had suggested at the end of the proviso in Clause 4 this difficulty would not be met. He thought when they had agreed what words could be added at the end of the proviso in Clause 4 there was no difference between them.

MR. ASQUITH said he ventured to intervene in this legal discussion in order to make a practical suggestion. It was clear from the arguments submitted to the House that there were two points raised—one a technical point, and the other a point of substance. The technical point was a point of drafting. Recalling to mind his dim recollection of practice in the Courts of Law he should say that the words "or officials" were quite unnecessary in this part of the clause, and that the Attorney-General was absolutely correct in saying that as a matter of drafting they were superfluous. If the House kept the words "or officials" in they must keep the proviso or something substantially equivalent; either both should go or both should remain. He meant that section 9 of the Act of 1871 should remain in force. In order to save time, therefore, and to arrive at a result with the almost unanimous concurrence of the House, they might agree that the words "or officials" should remain, but that at the end there should be something added. He suggested that the words "provided that" should be omitted, but at the end the section should be made declaratory of the law by stating that "nothing in this section shall affect the liability of the trustees of such unions to be sued in the events provided for by the Trade Union Act, 1871, Section 9." Then they might add the words suggested by the hon. Member for Reading, "except in respect of any tortious act committed by or on behalf of a trade union in furtherance of a trade dispute." This alteration would practically carry out the views of all sections of the House.

SIR EDWARD CARSON (Dublin University) said that but for the last few words of the right hon. Gentleman he would have found himself in exact agreement with all he said. It was now suggested that they should add to the portion of the section which contained Section 9 of the Act of 1871 something which he really did not understand. The question raised by the hon. and learned Member for Reading dealt with an entirely new point. He was under the impression that the whole object of this Bill was to put back trade unions to the position they were in, or supposed they were in, before the Taff Vale decision. He understood that the Chancellor of the Exchequer now wanted to give them something more. [Cries of 'No."] Then why were they quarrelling with the 9th section? The section had existed from 1871 down to the present time, and had never been quarrelled with. Now the Government wanted not only to give the immunity which trade unions were supposed to have had before the Taff Vale decision, but to limit the liability imposed upon them by Section 9 of the Act of 1871. That was almost a revolution in the Bill, because that was the clause defining their liability in relation to their property which Parliament granted when setting up the other advantages, or disadvantages as the case might be, of the Act of 1871. The matter was really pertinent here. The hon. Member for Reading, as he understood his argument, stated that he desired especially to guard against such cases as that to which he referred.

MR. RUFUS ISAACS: What I was anxious to guard against was the *dicta* of the learned Judge who decided that case.

SIR E. CARSON thought the hon. and learned Gentleman would agree with him that these were observations made with reference to the ninth section. If so the Government wanted to do something to get rid of those observations, otherwise why did they touch the ninth section at all? If they wanted to leave the liability under the ninth section as before the passing of this Act they had no right to put in qualifying words with regard to it, and he thought they might say that the only object of putting in those qualifying words was to get rid of something which they were afraid might arise, and which had been in existence since 1871. Before they determined this question of officials they ought to have it perfectly clear whether the ninth section was going to be left exactly as it was before this Bill was introduced. He agreed with the hon. and learned Member for Reading that they ought to be perfectly clear and distinct on this point. If it was going to be left, what was the necessity for putting in any qualifying words? and if they were going to put in qualifying words it must be because they were afraid of something in the ninth section. Surely all this meant that in addition to trade unions being put into the position they were in before the Taff Vale decision they wished to put them in a better position under the ninth section than before. There could be no other object. What were the exact words which the Chancellor of the Exchequer proposed to add at the end of the section he did not know. He had read out words which did not seem to him entirely satisfactory, and it occurred to him from the argument of the right hon. Gentleman that he desired to prevent a certain construction of the ninth section. It might be right or it might be wrong; if it was wrong it could be set right in the Courts, and if it was right they should put in words to limit the ninth section. By so doing they would have enlarged the immunity supposed to exist before the Taff Vale decision, and they would be limiting the liability created by the ninth section of the Act of 1871. For his part he quite agreed that no action could be maintained against officials as representing and acting on behalf of trade unions. He did not know under what possible provision that could be so. If officials were members they must be sued as members. On the other hand, it was perfectly clear that under Section 9 trade unions had power by their rules to appoint persons to be sued, and it might be construed that a member was an official under that section. They might take away the advantages of Section 9, and, therefore, so far as he was concerned, he was quite prepared to accept either of two alternatives, namely, to accept the striking out of "officials" and the proviso or to leave in officials and the proviso, but he objected to the third alternative to put in a modified proviso which would in any way affect Section 9 of the Act of 1871.

*MR. ASTBURY (Lancashire, Southport) said the right hon. and learned

Gentleman had asked why, if they desired to leave Section 9 of the Act of 1871 intact, they wanted to put in qualifying words. The words which he understood his hon. and learned friend the Member for Reading proposed to add at the end of the proviso were "except in respect of any tortious act committed by or on behalf of the union in contemplation or furtherance of a trade dispute." The right hon. Gentleman opposite said that if they did not intend to interfere with Section 9 it was not necessary to qualify it, and he asked why qualifying words should be put in. The answer was perfectly obvious. They intended to put in these words if they could in order that no Court should hereafter say that the words of the ninth section qualified this section in regard to a tortious Act of the nature contemplated. What the House was going to enact was that no action should be brought against any trade union at law or in equity against its members, and to thus place the trade union funds in the position in which they were considered to be prior to the Taff Vale decision, namely, that they could not be so attached. That was the clear and definite intention of Section 4 in the Bill now before the House; the House was now asked to leave in the word "officials" in the earlier part of the clause and it was quite possible that some Court might hold that by putting in the word "official" such an official or a trustee might be sued for damages under Section 9 of the Act of 1871 in connection with a trade dispute. Let him say first of all that they could not sue an official under Section 9 of the Act of 1871 except in connection with the property of a trade union. There were however people in this House and outside who thought that that could be done by reason of the *dicta* of the learned Judge in the case which had been referred to—*dicta* which he did not believe were intended at all in the sense suggested. If it was not made perfectly clear that that kind of action would not lie under Section 9, then a trade union might be put to all the expense of litigation in the matter, and perhaps of having to go to the House of Lords before getting a final decision. The only reason why they desired on this side of the House to make it clear that Section 9 should not apply to something which, in their view, it was never intended to apply to, was that they desired to prevent any possibility of its having the effect of destroying Section 4 of this Bill.

*MR. CLAVELL SALTER said they were disussing whether two words were or were not to be omitted. It had been suggested by the Chancellor of the Exchequer that those words should remain on account of the fear entertained by hon. Members below the gangway. So far as he was concerned he should have no objection to the retention of the word "officials" provided that the proviso at the end of Clause 4 remained, and he should have no objection to strike out, as the Chancellor of the Exchequer desired to do, the two words "provided that." But he must confess, as he understood the matter, that he should have the gravest objection to agree to any settlement or compromise whatever which involved adding to the proviso the words which his hon. and learned friend the Member for Reading proposed to add. He understood they would have this effect. As the proviso stood and as Section 9 of the Act of 1871 stood, if a trade union, being possessed of certain premises, raised these premises so as wrongfully to obstruct ancient lights or the means of access to somebody's premises it would be liable to be sued. [A LABOUR MEMBER: We do not desire to get away from that.] He understood that that was so. If he understood the words proposed to be added by the hon. Member for Reading one result would be that, supposing the premises of an employer on whom it was desired to exert pressure were next door to the premises of a trade union, and if in order to bring pressure on him the trade union proposely and wrongfully obstructed his ancient lights or means of access, no action could be brought because of the words proposed by the hon. and learned Member. It would be a wrongful act committed by the union "in contemplation or furtherance of a trade dispute." He ventured very strongly to doubt whether hon. Members below the gangway would desire immunity from such an act as that. These words if added would give immunity for such an act. It was because these words would give immunity to trade unions never before enjoyed that he would be no party to a compromise.

*Mr. SHACKLETON said they on that side of the House had been very much concerned in regard to the words of this clause, which were, perhaps, the most important of the whole Bill. By this clause the Government desired to put trade unions back to their old position, and now they had a solution which would be acceptable to themselves as well as to those who formerly differed from them, he was certain that the clause did not give them more than they had before. So far as trade unionists were concerned they had no two opinions on that point, and the only difference which had arisen was in regard to the wording of the clause. All that they asked was that the clause should be clear and intelligable, and that there should be no mistake about it. It was absurd to suggest that trade unions wanted to run away from their responsibilities in connection with their property. They had never made such a claim. What they asked and what they thought they were getting was freedom from those vexatious and one-sided laws with which they had had to contend during the past five or six years. What was claimed by some hon. Gentleman to be equitable law had been proved not to be so. He had shown more than once that acts which the employers had done were strictly illegal, but the trade unions could not prove damages against them. They were now in the position that the employers were level with the unions, and that they should be able to carry on their struggles without the possibility of their funds being got at in a way which was never intended.

Mr. R. DUNCAN (Lanarkshire, Govan) said he did not think that the difficulties and dangers referred to by their learned friends amounted to much. He believed that if this Bill was worked in the spirit indicated by hon. Gentlemen below the gangway, no difficulty or danger would arise.

Amendment negatived.

Sir JOHN WALTON moved to leave out the words "for the recovery of damages." The effect of the clause would then be to prohibit any Court entertaining not merely actions for injunctions to restrain the trade unions from committing any tortious act, but actions for damages. He did not think that logicallythey could discriminate between actions for damages and actions for injunction against a trade union; and therefore as the action for an injunction against the trade union had gone, the action for damages must also go. No doubt in practice there was considerable distinction between an action which sought damages against an individual and against a trade union, because the remedy sought against an individual was often against a man of straw. But an action for injunction against an individual was not ineffectual to check torts which might be menace, whether that individual were an official of a trade union or a private person, because if the tort were committed there were all the penalties applicable for contempt of Court. On that account the case for immunity from an action for injunction against a trade union was much stronger than immunity for actions for damages. Let him give a case. It was said that Members of a trade union might threaten to break down fences surrounding land, or pull down buildings. Assuming that such acts were contemplated, what was the remedy? There was an action against the leading officials of the trade union, or against the secretary, or against the trustees, or against the leading members of the committee. If evidence was given to shew that they were contemplating such an act, the Court would give an order restraining them from committing the act, and if that was not obeyed the criminal law already provided a very drastic remedy which could be sharply and promptly applied to them individually. That remedy remained, notwithstanding the terms of the Amendment, and it could under the law be sharply and properly applied to members of trade unions. It was a remedy against the body which described itself as a trade union. It was said that they might have a successful evasion of an order of a Court. Supposing they restrained the officials of a union from carrying on certain tortious proceedings, it was said that the union having been restrained would elect other leaders to take the places of those who had been proceeded against. That sort of evasion would be impossible, and there would not be the smallest difficulty in the case, because it would be obvious that the resignation of the officials was not *bona fide*, and that it was a step taken to evade the order of the Court. The order of the Court therefore would not be evaded by an act of that kind, and it would substitute in the order the new officials for the old officials who had retired. If that view was right what possible objection could there be to the Amendment? Why should they preserve the artificial distinction between actions for damages and other actions? Why should they not have a final settlement of this question, so that it might not be said after this Bill had been passed there still remained the question of injunction to be settled? He did not wish to refer to the facts at any length again, but he would point out that the Taff Vale decision applied not only to an injunction but to damages. He trusted that they were to have a permanent settlement of this question, and that they should without any very nice distinctions restore the ante-Taff Vale state of things. He submitted that when private property was menaced the law would remain just as effective against the individual and against the body as it was now.

Amendment proposed—

"In page 2, line 7, to leave out the words 'for the recovery of damages.'"—(*Sir John Walton.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. A. J. BALFOUR said he intervened with great diffidence in this discussion, which had a very legal aspect. The hon. and learned Gentleman rested the change in the Bill which he now proposed to make upon the ground of logic. He said, "If you are going to relieve them of one kind of liability, you must relieve them of all liabilities." It was not very logical to make this exception in the case of trade unions only as against every other class in the United Kingdom. Why was it that so many hon. Gentlemen in that House were quite ready to commit this breach of general logic? It was because they felt it to be unjust that funds contributed for purposes quite alien to these trade disputes should be endangered by decisions of the Courts of law. It was because they all felt that it was contrary to natural equity that funds contributed for widows, sick pay, and the support of people out of employment should be seized for totally different purposes. It was for that reason that persons inside and outside the House did not wish to see such proceedings carried into effect; but the hon. and learned Attorney-General had gone far beyond the question of funds for sick pay, or the benefit of widows or people out of employment, because in the case of actions for injunctions there was no question of preserving funds raised for these purposes. The hon. and learned Member had said that the law as laid down by the House of Lords would not prevent the Courts from stopping a tortious act on the part of trade unions, because the power of the Courts was as effective in cases where the tortious acts were committed against individuals as it was if they were committed against a corporation. But was that the fact? The hon. and learned Gentleman had said that if it was the wish of a trade union to exercise some tortious policy, and an injunction was obtained against the treasurer and all the other officials of the union, they were by that means restrained by the powerful arm of the law from exercising their tortious policy. But it was suggested that new officials might then be appointed and that a new Judge would have to be appealed to and that the proceedings might go on in a new form. The hon. and learned Member said, "Oh, that is impossible, because the Courts have ample power to prevent an evasion of their orders." Thus according to the hon. and learned Gentleman when they had an injunction against the officials of the union, that in effect was an injunction against every individual member of that union carrying out any tortious policy. If that was so, what did the Government gain by the Amendment? Why did they not at once admit that the injunction was against a trade union in its corporate capacity? It appeared to him that the logic to which the Attorney-General appealed broke down. The question at issue was simply whether a wrong prepetrated by a trade union should be allowed to continue or not, and if the Attorney-General's Amendment was accepted he left the public no remedy against tortious acts by a trade union.

THE SOLICITOR-GENERAL (Sir W. ROBSON, South Shields) did not think that the Leader of the Opposition appreciated the second point which his hon. and learned friend attempted to deal with. If they were to give trade unions the *status* which they possessed before the Taff Vale decision, the best plan was to give them that *status* not only with respect to actions for damages, but with respect to injunctions. The Bill as it originally stood prevented actions for injunction, but his hon. and learned friend said that he thought the better way of bringing about a settlement of the whole question was to treat both classes of action as being identical. Then he proceeded to deal with the question of an injunction as against individual members.

MR. A. J. BALFOUR said the Attorney-General was dealing with the change in the Bill, but the objection taken was that there was no use in getting any injunction against individual members of trade unions because they might change their officers. In reply the hon. and learned Gentleman said that if an injunction had been obtained against the secretary, say Mr. A. B., if he were removed from office and another member took his place they would not have to apply for a fresh injunction, as the Courts would recognise that it was an attempt to evade their authority, and they would use their powers against Mr. A. B. If that was so, there was no difference between taking that course of action and bringing an action against the whole of the body in its corporate capacity.

SIR W. ROBSON said there was an immense difference between taking an injunction against a number of individuals and obtaining an injunction against a corporate body. The old evils were not in any measure introduced when an injunction was obtained against a series of individuals, as they were when an injunction was obtained against a central official which operated personally against that official. His own opinion was that if proceedings were taken against a single individual injunctions would have to be obtained against successive individuals. There was no proceeding in law so rapid as that of obtaining an injunction. The most rapid proceeding was the issue of a writ, but an injunction was almost as rapid. A man go at once to a Judge in chambers and could set out the facts in an affidavit, and in twenty-four hours get his injunction against the offending individual. The injunction would at once proceed, and as often as the person was changed the Court could pursue with an injunction. But still that would be a long way short of proceeding against a trade union as if it were a corporate body. The right hon. Gentleman had just said it would be the natural consequence of a rapid series of injunctions. Nothing of the kind. They were still a long way short of anything in the shape of an attack in which a corporate body had to be made a defendant in an action. An injunction could not be enforced by imprisonment, nor could damages be obtained from a corporate body. Therefore, if trade unions were to be proceeded against at all, an action for an injunction against the individual members would be found to be a very effective remedy indeed. It was the most effective remedy that was known to the law, and it would be applied to those officials of the trade unions who could be shown to have deliberately broken the law.

*MR. STEWART SMITH (Westmorland, Kendal) said it was difficult to understand when the House had arrived at the decision that trades unions should not be sued for damages that the remedy by injunction should be allowed to remain against the trade union, and that its funds should be liable in execution to aid the operation of this injunction. The equitable remedy of injunction was only in relief of the common law remedy of damages and ancillary to it, and it was difficult to understand why, when they had dismissed the mistress, they should retain the handmaiden. If the position before 1901 was to be restored, it should be restored wholly and not in part. Let the House suppose the case of an action for an injunction against a trade union. It could be brought in one of three ways. It could be brought for an injunction against the trade union, against the chief officials of the trade union, or against both. The two remedies for a breach of injunction were committal and sequestration. If the trade union alone was the defendant, the remedy by committal was not operative. A trade union could not be committed. If the officials of the trade union alone were defendants, not only could they be committed for breach of the injunction, but anyone who acted in breach of the injunction with knowledge of it could be committed, not because he was a defendant who had been joined in the action, but because he had been guilty of contempt of Court by aiding and abetting the breach of the injunction. The notice of the injunction and the breach of it were the only two things to be established against any person to ensure the remedy of committal. It was perfectly immaterial whether the action was brought against a trade union alone or against the principal officers of it. And if that were so, there could be no advantage to anyone in merely retaining the trade union as a nominal defendant. The procedure against the effects of a trade union was well known and commonly exercised. With all respect to the hon. and learned Attorney-General it was not necessary when one set of officers had been put in the place of another to amend the writ. It was sufficient to bring to their notice the fact that the injunction had been granted, to bring proof of the notice, and the remedy would follow. In a recent case before one of the Chancery Courts the law and practice was stated in this manner. "Anyone who assists another in breach of injunction can be punished for contempt of Court for so doing, equally with the person concerned." So it was only necessary to show knowledge of the injunction, and the remedy for its breach followed. It was said that this could be evaded by calling on the trade union officers to resign and filling their places with new men. Those who made this suggestion credited the trade union officials, if they pursued that course, with a simplicity of character they did not deserve. The trade union officials knew all there was to be known about strikes, and they had learnt the lesson, which they would never forget, that if a strike did not immediately collapse it was because there was strong public sympathy behind it. There was nothing so likely to alienate public sympathy in a law-abiding population such as ours as a contemptuous disregard of the judgment of a Court of Equity. There was another remedy for an injunction, that was the remedy of sequestration. It was difficult to see, if the House established the principle that trade union funds were not to be liable for damage, how this remedy could be supported. If a writ of sequestration be issued, and its property passed into the hands of a sequestrator, the result would be to paralyse the whole administration of the union as a friendly society. Strike pay and sick pay would be stopped, and the union would be in a far worse position than if damages were recovered against it. Payment of damages would leave the balance of the funds free, but a writ of sequestration would at once paralyse the administration of the whole fund. So that if they were to affirm, and they had affirmed, the principle that trade union funds were not to be mulcted in damages, they ought to affirm the principle that they should not be indirectly attacked by sequestration. It was said that the opposition to this Amendment and to this Bill came from employers. He did not believe it. Employers were quite willing to have the same immunity as the trade unions in respect to injunctions; and if there was a fight it would be fought on level ground and neither party would have any advantage from its new position. But would there be a fight when each party came to understand the strength of the other? He did not think so. Negotiations would be found to pay better, even though lawyers had to be introduced to aid the disputants. The opposition to this Amendment and to this Bill came and would come from that little knot of his professional brethren on the Opposition Benches. They said the effect of this Bill was to violate the symmetry of the law in one special particular. He agreed that that was so, but if the result was to remove an admittedly great and crying hardship, then the Bill would justify itself notwithstanding that the perfect symmetry of the law might be thereby affected. He was certain that the Bill would cause no real hardship, and it was in that belief that he proposed to vote for the Amendment.

*MR. CLAVELL SALTER said he had listened to the speech of the Attorney-General and to other speeches to see if he could find anything in support of this Amendment or any principle on which it could be contended that it was right and politic to place trade unions above the ordinary civil law. He listened, without agreement, but with great sympathy, when it was urged that it was impolitic and hard to lay upon funds subscribed in large measure for other and better purposes the possibility of being taken in execution for the wrong-doing of trade unions. This Amendment was not based upon that principle; it could not be based upon it, because in order to protect trade union funds they did not need to protect them from the operation of the clause by way of injunction. The Attorney-General said, "Our desire is to restore the ante-Taff Vale position, and we desire to restore it completely." The speech of the Attorney-General on this Amendment had been the last and logical step in the extraordinary series of surrenders which had marked his path upon this matter since the day when he implored the House not to create a privileged class. He now urged them not merely to set trade unions above the law, but to be sure that it was done in a most thorough and effectual manner; he said that if they no longer left trade unions open to action for damages, but left them open to an action for an injunction they were taking away the less effective and leaving the more effective remedy. Was this plea for the ante-Taff Vale condition of things a principle on which the Government was prepared to act in regard to other matters? The principle was that where the law was supposed to be in a particular condition and the House of Lords decided that the supposition was erroneous, then the law should be changed. The House of Lords had a way from time to time, and so had other High Courts of law, of showing that common notions of the law as widely held had been erroneous. How long was it since they were told in the Court of Appeal that the ideas they all entertained with regard to the Education Act of 1902 were widely erroneous? Was the Government prepared to initiate legislation to enact the law as it was erroneously supposed to have been in that respect? Then, again, was the Government prepared to bring in legislation so that the law in regard to licenses should be what it was erroneously supposed to have been before "Sharpe *v.* Wakefield?" Why should this principle apply in one case and not in another? The Attorney-General had told them there would be some redress by taking proceedings against individuals. He denied that. A man whose premises were being invaded by large numbers of people day by day was not likely to bring an action against individuals. Whom was he to sue, and how was he to enforce his rights? It was obvious that a man's only real remedy by way of injunction was to go to the body which instructed these men, and to ask that the funds which enabled them to do wrong should be made liable. How was it an argument for putting trade unions outside the law to say that there was an alternative right against individuals? The hon. and learned Member who spoke last said this Bill as proposed to be amended would remove a hardship. He could understand that being said when it was a question of exempting trade union funds, but how could it be reasonably claimed that they were removing a hardship when they provided that a man who was suffering from an admitted wrong was to have the Court closed against him in any action he might wish to take against the body that had injured him? Was it to be seriously contended that it was a hardship that a trade union was to be ordered by the Court to cease wronging any man? His hon. and learned friend who spoke last had said that the objections to this Bill would come from a small knot of his professional brethren. He thought he would find that objections to this part of the Bill, which sought to place trade unions outside and above the law and on a precise equality in that respect with the Crown, would meet with wider disapproval than his hon. and learned friend supposed. He would ask that if there were any principle, policy, justice or expediency on which it could be proposed to create a privileged class of this kind someone would tell them what it was. To his mind there was one ground, and one ground only, for this Bill, and that was that organised labour, being politically strong, was following the course which other strong classes had followed in the past. It was seeking special privileges and benefits for itself, regardless of the other classes of the community. The reason, and the only reason, for this shameless proposal to close the Courts against the man who had been injured by a trade union was that it was demanded by a powerful party, and that ill consequences would follow to the Government if they refused it.

*MR. MICKLEM (Hertfordshire, Watford) wished to point out that although he was in favour of the Amendment because he believed it meant that not only would an action for damages not be brought, but also an application for injunction prevented, yet he very much doubted whether the Amendment went far enough. The Act provided that an action against a union for recovering damages in respect of any tortious act alleged to have been committed should not be sustained by the Court. He did not know what the practice might be on the common law side of the Courts, but on the equity side, if an injunction were applied for in respect of an act which had already been committed, it would not be obtained; and he observed that the clause, as drawn, dealt with an act which had been committed, but not with an act threatened to be committed; and he thought the proper Amendment would go a little further than this, and omit the words, "for the recovery of damages, in respect of any tortious act alleged to have been committed by or on behalf of the trade union." They could only get an injunction for an act which was threatened, and therefore the mere omission of the words, "for the recovery of damages," would still leave it open to the individual to bring an action against a trade union, not as provided here for a tortious act alleged to have been committed, but for a tortious act which was to be committed in the future; and he submitted that the true Amendment to carry out the intention of the Government, and certainly what he understood was the intention of most of the members of the Liberal Party, and all members of the Labour Party, would be to omit the further words, and say that an action should not be brought against a trade union. Unless the Amendment was accepted in that way it would be open for an employer or anybody else to bring an action to restrain by injunction an act which was threatened in the future. With regard to the general question raised during the discussion, he would say that he did not in the least understand the argument that this Bill placed a trade union above the law, and put it on an equality with the Crown; nor did he see anything in the contention that the principle here adopted was that if the House of Lords came to a decision which they did not like, then they were to go back upon the legislation which had been decided contrary to the view. What they here wanted to go back to in one sense was the ante-Taff Vale state of things—in other words, they wanted to have the law made what it was intended to be in 1875. When they talked of putting trade unions above the law, what did it mean? A trade union was different in its composition and entity from anything else. His hon. and learned friend did not say that a golf club was above the law because when some members of the club committed a tortious act the club could not be sued. These trade unions were quasi-corporations which stood alone. They had not the rights of corporations and could not sue their members. They were a particular form of body introduced with a special object, and it was absurd to say they were above the law. When the hon. and learned Gentleman said it was shameless that a man should suffer a tortious act without having a remedy, he would submit with great deference that he was talking nonsense. He did not wish to use a rude expression, but what he wished to imply was that no one ever suffered a wrong from a union, he might have suffered a wrong from individual members of a union, and whenever that was the case he had the same remedy against them as against anyone else. The objects of a trade union were distinct from those of any other body. There was no other body in any sense like them except clubs. They desired to leave the trade unions in that position, and they ought not, by a side wind, to let the Courts come to decisions different from the intention of the Act. Let it be made perfectly clear not only that there should be no action for damages, but also for an injunction.

*MR. PIKE PEASE (Darlington) thought it was to the advantage of everyone that some action should be able to be taken against the individual. In the case of a trade dispute, if the representative of a trade union was the cause of very much damage it certainly was an advantage to the community if action could be taken against him. The Chancellor of the Exchequer had recently said that there was a great deal of insincere nonsense talked in regard to this Bill, and he dared say a considerable number of hon. Members would agree with that; but he thought those who had listened during the last seven or eight years to debates in this House would remember that the right hon. Gentleman himself had taken the same line of action as he took in regard to this Bill. The Chancellor of the Exchequer himself had been one of the strongest advocates of the position the Opposition now took. In a speech on May 8th, 1903, he said that he did not think it would be expedient from the point of view of combinations either of employers or of workmen that Parliament should be asked to lay down that large trade organisations should not be responsible for the unlawful acts, if they were unlawful acts, shown to be committed by their agents, if they really were their agents, within the scope of their authority. That was exactly the line which the Opposition took at the present time, and it was absurd to say that the differences between the right hon. Gentleman and his friends were purely technical. He would like to ask the Solicitor-General a question in reference to damages. Supposing a trade union had an office in a certain part of a certain town, and they built up a wall between themselves and the neighbouring house, doing damage to the latter property. Would there be any chance of suing the trade union for damages under such circumstances? He would also like to refer to the speech made by the hon. Member for Mid Durham. He himself was connected with the county of Durham, and he might say that there was no one more highly respected in that county, both by employers and employed, than the hon. Member for Mid Durham. In a speech which the hon. Member made recently, he showed clearly that his intention was that trade unions should not be granted absolute immunity from the law of conspiracy. With regard to a question raised by an hon. Member as to the attitude of employers, he would like to say that those who were Members of this House would be just as anxious from a political point of view to vote for a Trade Disputes Bill. Everyone who represented an industrial centre knew that in taking action against a Bill of this kind they ran the risk of losing their seats, and it was only naturally to be supposed that if they ran that risk they would like to diminish it as much as possible. But looking at it from the point of view of justice it was not unreasonable for them to believe that the Royal Commission on Trade Disputes endeavoured to find a fair verdict with regard to this question, and that their verdict was a right one.

SIR W. ROBSON said the case which the hon. Gentleman had put of a trade union official building up a wall against the premises of a neighbour would not be a trade dispute; and, in any event, there would be undoubtedly in such a case an action against the trustees or the guardians of the trade union under Section 9 of the principal Act. Not only would there be an action, but there would also be an injunction against them.

MR. RAWLINSON said he was not going to say one word about the general policy as to whether or not it was advisable to carry this Amendment, but what he wanted the House to understand clearly was that if this Amendment were carried they were making a very great concession to the Labour Members; they insisted on this Amendment through the Committee Stage of the Bill, and they were insisting on it now. They insisted on it in Committee because they said it was an important Amendment. As a lawyer, he agreed it was a most important Amendment from their point of view. In the Committee Stage the Attorney-General himself said—

> "With regard to injunction the object of the clause was to safeguard the funds of a union, and in an action for injunction there was no attempt to claim damages from the funds of a union."

The hon. Member for Stoke-on-Trent then pointed out that, having regard to the admission of the Attorney-General, the words "for the recovery of damages" seemed to be dangerous and sinister, and he pressed the Government to omit such words. After that the hon. and learned Member for Reading made a very strong speech in support of the Government's position in refusing to strike out these words. He urged most strongly that this was a very important Amendment, and he hoped if they voted in favour of it they would realise that they were certainly altering the Bill very materially.

Question put.

The House divided:—Ayes, 45; Noes, 312. (Division List No. 374.)

AYES.

Acland-Hood,Rt.Hn.SirAlex.F.
Balcarres, Lord
Banner, John S. Harmood-
Barrie, H. T. (Londonderry,N.)
Beach,Hn. Michael Hugh Hicks
Bertram, Julius
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig,Charles Curtis (Antrim, S.
Cross, Alexander
Dalrymple, Viscount
Dixon, Sir Daniel
Douglas, Rt. Hon. A. Akers-
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks., East)
Haddock, George R.
Hambro, Charles Eric
Hunt, Rowland
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lowe, Sir Francis William
Nield, Herbert
Parkes, Ebenezer
Pease, Herb. Pike (Darlington)
Salter, Arthur Clavell
Smith, F.E.(Liverpool,Walton
Talbot, Lord E. (Chichester)
Thomson,W. Mitchell-(Lanark)
Turnour, Viscount
Valentia, Viscount
Warde, Col. C. E. (Kent, Mid)
Wortley, Rt. Hon. C. B. Stuart-
Younger, George

TELLERS FOR THE AYES—Mr. Rawlinson and Sir Frederick Banbury.

NOES.

Abraham,William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Allen, A.Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A.(Finsbury, E.)
Baring,Godfrey (Isle of Wight)
Barlow,JohnEmmott(Som'rs't)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont,Hn.W.C.B(Hexh'm)
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn,W(T'w'r Hamlets,S.Geo.)
Berridge, T. H. D.
Bethell, J.H. (Essex, Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black,Arthur W.(Bedfordshire)
Bolton,T.D. (Derbyshire, N.E.)
Bottomley, Horatio
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner,J.F.L (Lancs., Leigh)
Brunner,RtHnSirJ T(Cheshire)
Buckmaster, Stanley O.
Burke, E. Haviland-
Burnyeat, W. J. D.
Buxton,Rt.Hn.Sydney Charles
Byles, William Pollard
Cairns, Thomas
Cheetham, John Frederick
Clarke, C. Goddard
Clough, William
Cobbold, Felix Thornley
Collins,SirWm.J.(S.Pancras,W.
Corbett,C.H (Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Cremer, William Randal
Crooks, William
Crosfield, A. H.
Crossley, William J.
Dalziel, James Henry
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan,C.(Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne,MajorE.Martin(Walsall)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Gurdon, Sir W. Brampton
Hall, Frederick
Hammond, John
Hardie,J.Keir(Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson,J.M.(Aberdeen, W.)
Herbert,Colonel Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hooper, A. G.
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones,SirD.(Brynmor Swansea)
Jones, Leif (Appleby)

Jones, William (Carnarvonshire)
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Leese, Sir Joseph F. (Accrington)
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Lever, W. H. (Cheshire, Wirral)
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. M. (Falkirk B'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Charles (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, Charles N. (Doncast'r
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Grady, J.
O'Kelly, James (Roscommon, N.
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, Sir W. D. (Colchester)
Pearson, W. H. M. (Suffolk, Eye)
Philipps, Col. Ivor (S'thampton)
Pollard, Dr.
Price, C. E. (Edinb'gh, Central)
Price, Robert John (Norfolk, E.)
Priestley, W. E. B. (Bradford, E.)
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro')
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T. F (Wolverh'mpton)
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Runciman, Walter
Rutherford, V. H. (Brentford)
Rutherford, W. W. (Liverpool)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, Theodore C. (Radcliffe)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr)
Thomasson, Franklin
Thompson, J. W. H (Somerset, E.
Thorne, William
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Ure, Alexander
Verney, F. W.
Vivian, Henry
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke-upon-Trent)
Ward, W. Dudley (Southampt'n
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Weir, James Galloway
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williamson, A.
Wilson, Hon. C. H. W. (Hull, W.)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A Pease.

MR. MICKLEM moved to insert after the word "committed" the words "or threatened." He said that an injunction did not lie for an act that had been committed, but it lay for an act that was threatened, and therefore to make the clause perfectly clear he thought the House would do well to add the words "or threatened."

*MR. HERBERT (Buckinghamshire. Wycombe) seconded the Amendment, He thought in order to make the clause clear it was necessary to insert these words. It might be held that when an injunction was applied for in a case where a wrongful act had been committed and it was desired to restrain its continuance or repetition that such an application would be held to be an action in respect of a tortious act alleged to have been committed; but the words would not cover the case of an act that was only threatened, and where no wrongful act had been committed at all.

Amendment proposed—

"In page 2, line 8, after the word 'committed' to insert the words 'or threatened.'"—(*Mr. Micklem.*)

Question proposed, "That those words be there inserted."

SIR JOHN WALTON said he did not think the words were required.

LORD R. CECIL said that this was a kind of legislation which would lead to trouble in the future. The present was the last occasion on which the House would have to consider the words of the Bill, and if there was any necessity for introducing the words in the Amendment the House ought to have had an opportunity of seeing them in the Bill, or at any rate they ought to have been put down on the Notice Paper. It was impossible for the House to form any judgment on the effect of an Amendment such as this at a moment's notice. If the Amendment was necessary the Bill could be re-committed, and then they would know where they stood. He hoped that the Amendment would not be pressed now.

MR. F. E. SMITH said that they had been told very clearly that the proposed words were not necessary. It had been said over and over again in the Courts and elsewhere, that the most fruitful source of confusion in the interpretation of Acts of Parliament was the insertion of words which were unnecessary From a very cursory inspection of the words he was disposed to agree with the hon. and learned Attorney-General that they were unnecessary, but they might have something in them. It was however a disastrous principle to adopt words on a casual suggestion which could be construed in one way or another, and so make the House of Commons a laughing stock.

*MR. HORRIDGE (Manchester, E.) said he was glad that the hon. Member had brought forward this Amendment, because everybody would then know what the Act meant. Without it, if the fear that the Act did not apply to threats turned out to be well founded, a tremendous instrument of oppression would be put into the hands of the masters.

SIR FREDERICK BANBURY entered his protest against these words being inserted. There seemed to be a great difference of opinion as to what they meant. He understood that the hon. and learned Gentleman had said that these words meant that if a trade union did any act a Court of law could not prevent the union doing it. Was that the case? The hon. Gentleman did not deny it; therefore, as a layman, he understood that the effect of the inclusion of these words was that a trade union might do anything it pleased, and that a Court of law had no power over it. Was that right? He must divide against the Amendment.

MR. MICKLEM said that, as he understood the Attorney-General had ruled that these words were unnecessary, he begged leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

MR. ATHERLEY-JONES moved to leave out the words "or on behalf of," and explained that he proposed to add by a later Amendment, after "union" the words "or by any person or persons acting, or purporting to act on behalf of the trade union." The object of his Amendment was to make the clause carry out what the Government professed, and what the hon. Members opposite had in view. He did not in any way recede from the position he had taken up from the first, that alike in the interests of trade unions and the public the large immunity claimed by this Bill was undesirable. Further than that, if this Bill remained in the form in which it now stood it was mere waste paper. [LABOUR cries of "Order, order."] He was persuaded that the Bill in the form in which it was drawn would not be accepted by the House of Lords. [Renewed cries of "Order, order."] The result would be that legislation which was urgently needed would be defeated by errors of drafting. That, however, was beside the immediate question of the Amendment.

The object of the Amendment, he repeated, was to secure that the immunity sought for by the trade unions should not be defeated by errors in drafting. He was conscious that his hon. and learned friend the Attorney-General would perhaps say that the attitude he took in regard to drafting was not right, and that Judges of common sense would put the construction he desired on the words in the clause. The standard of common sense which obtained amongst lawyers was different from the standard of common sense which obtained amongst the Judges. They had had numerous instances where the obvious intention of Parliament had been defeated by a too narrow and too literal construction of Acts of Parliament by the Judges, and it was this very narrow and literal construction which he feared. There was a conflict of authority amongst lawyers as to the construction of this clause, which provided that no action should be successful in respect of "any tortious act alleged to have been committed by, or on behalf of, the trade union." He appealed to the Attorney-General whether these words stopping at "trade union" did not specifically and adequately cover any case of action of a trade unionist, whether committed by the express authority of the trade union or without it. His contention was that the words "or on behalf of" were either surplusage or mischievous. He wished to put to the Attorney-General a possible construction of the clause if these words "on behalf of" were left in. The hon. and learned Gentleman might say that the construction was a far-fetched one, but he contended that it was quite possible for the Courts to hold that the words would not only cover acts committed under the express authority of the union, but acts committed by an agent under implied authority. He was not in this matter relying upon his own judgment, as he had consulted many legal friends of higher authority than himself on the subject. It seemed to him and those he had consulted that it would be perfectly competent to the Courts under this section to hold that where a tortious Act was committed by an agent without express authority, but with the implied authority he enjoyed as an agent, that act would bind the society. He knew that the Attorney-General would get up and say that the case he was putting was far-fetched and hypothetical. Without wishing to say anything about our tribunals, the members of which, he knew, wished to discharge their duties with impartiality, he could not help thinking that when they were changing the law so fundamentally as it was being changed by this Bill the Courts might apply the strictest construction to the language used in the Statute. He did not know a single case, and he spoke from a pretty large experience, where the trade union had expressly authorised the committal of a wrong, and all the trade union cases had arisen through an agent violating his trust, or exceeding his authority. That was a mischief which they ought to guard against by this Bill, and the Bill as it was drawn now opened up a very real danger because a Judge might hold that as the Legislature had drawn a distinction between the act of an agent and the act of a principal, this clause did not protect the union against torts committed by the agent under implied authority. He knew that this matter was highly artificial and technical, and one which ought to be settled by the draftsman and by the Attorney-General. He would suggest that the clause should read "in respect of any tortious act alleged to have been committed by the union or by any person or persons acting or purporting to act on behalf of the union." He was desirous that the Bill should not be defeated by a side wind, and that the object which hon. Members conscientiously had in view should be carried into effect. That was the reason why he had moved his Amendment, but if the Attorney-General took up the position that the section was drawn properly he should not press his Amendment, but leave the responsibility with his hon. and learned friend.

VISCOUNT TURNOUR (Sussex, Horsham) asked as a point of order whether they were to discuss both the Amendments of the hon. Member or only the first one.

MR. DEPUTY-SPEAKER said he would first ascertain if the first Amendment was seconded. Did any hon. Member desire to second it?

No hon. Member rose to second, and the Amendment dropped.

MR. LAMBTON (Durham, S.E.) moved after "trade union" to insert "in contemplation or furtherance of a trade dispute." He said that he had always understood that the object of the Bill was to regulate trade disputes, but in the clause before them there was no mention of trade disputes. In every other clause the words "in furtherance of a trade dispute" were to be found, but in this clause alone those words were missing. He was not in favour of the Bill. He thought it was badly drawn and he objected to giving this unlimited power to trade unions as against the general public.

MR. F. E. SMITH seconded the Amendment, which he thought was a very necessary one, as the public were entitled to a reasonable degree of protection when they were not parties to the quarrel. He repeated the question he had asked earlier in the evening as to the possibility of making trade union funds liable in case of injury to a child from a motor-car lent by a trade union during an election. He disputed the view of the Attorney-General that an action would now lie against the trustees under the Act of 1871. He understood that hon. and learned Gentlemen on that side of the House found in the words of Mr. Justice Mathew a suggestion that in an action brought against a trade union the property of the trade union, though collaterally involved, was liable, although such an action was an action for tort. That seemed directly in the teeth of Clause 4. He remembered when this point was raised in Committee the hon. and learned Attorney-General said the decision of the Court in the case referred to was after all a decision of a Court of First Instance, by that seeming to imply that there was a Court of Appeal. He submitted that what Mr. Justice Mathew said was to be accepted as law, but he did not gather that the hon. and learned Member for Reading accepted for himself the direction of Mr. Justice Mathew in that case. The importance of this was that the one observation of the learned Judge in that most admirable judgment, the one most disputable thing in the whole of that judgment, was the one and only observation on which the Attorney-General could found his answer that the liability for negligence in the motor car case was one that could be paid out of the trade union funds. There was, and he spoke with great confidence, nothing in the words of Section 9 of the Act of 1871, which any Court of law would admit as sanctioning such a thing. In regard to the judgment of Mr. Justice Mathew in the case of Linacre, there was nothing in the words of the learned Judge to justify the suggestions made. The words of the ruling Act were explicit and clear, and there was nothing in them which would sanction any action for tort. The decision in the case of Linacre was a surprise to the legal profession. There was nothing in it from first to last which in any way excluded the liabilities of trustees beyond the Act of 1871, although there were *dicta* in that decision, and the decision itself did suggest that it might be extended. He was glad to hear an hon. Member below the gangway say that this particular immunity which they were arguing to-day was not wanted. Supposing this clause had been passed into law and an action had been brought like that of the case of Linacre; an action formulated to recover damages for tort. The direct answer to such an action would be that the Act of Parliament had said that an action could not be against a trade union to recover damages for a tortious act. And there was nothing to support such an action in the judgment of Mr. Justice Mathew except that which the hon. and learned Member for Reading said he dissented from, and in respect to which the Attorney-General said that after all there was a Court of Appeal. He was inclined to discount, much as he admired the gifts and eloquence of the hon. and learned Member for Reading, what that gentleman had said.

SIR JOHN WALTON said that the action under Section 9 of the Act of 1871 was not against the union at all. It was an action against the trustees of the union, because it was the intention of Parliament in 1871 to make a union nonsuable. The Government were keeping alive an action not against the union, but against the trustees—an action not with regard to torts generally, but a certain special class of wrong indicated in the section.

LORD R. CECIL said the words of Clause 4 so far as they were material were these—

> "An action against a trade union or any branch thereof, whether of workmen or masters, or against any members or officials thereof, on behalf of themselves and all other members of the trade union for the recovery of damages in respect to any tortious act alleged to be committed by or on behalf of the trade union shall not be entertained by any court."

That in the clearest possible way said an action for tort should not be brought against a trade union. The Attorney-General had taken away the action of tort against trustees in the earlier part of the section, and preserved it in the proviso. The real truth was that the Attorney-General when he drafted this clause took the same view of Section 9 of the Act of 1871 that anyone would take. Section 8 vested the property in a trustee, and Section 9 said that if the property were attacked then the trustees were to be entitled to defend the property. Then the Attorney-General had told them that that conferred on a third party the right to bring an action for negligence in such a case as that described in respect of an injury from a motor car.

SIR JOHN WALTON: It has been decided.

LORD R. CECIL said he did not care what had been decided. He was talking to the House of Commons at this moment, and therefore he wished to talk common-sense, and to ask the House to form an independent judgment of what was the obvious meaning of this section. It was clearly to give a right to the trustees of trade unions to defend their property, and certainly it did not mean to give the right to a third party to bring an action of tort against them. If this clause were confined to trade disputes he did not care what became of the suggested proviso. He did not believe that Section 9 of the Act of 1870 was in any way affected by this Bill, whether the proviso was there or not; but if they did not insert these words they did not confer adequate and proper protection on third parties.

VISCOUNT TURNOUR said that having regard to the fact that the Bill dealt with trade disputes, it seemed to him that the Government should have no objection to accepting the Amendment, and certainly no valid objection had been put forward by any Member of the Government.

Question put.

The House divided:—Ayes, 69; Noes, 344. (Division List No. 375.)

AYES.

Acland-Hood, RtHnSirAlex.F.
Balcarres, Lord
Balfour, RtHnA.J.(CityLond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.)
Beach, Hn.MichaelHughHicks
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Coates. E. Feetham (Lewisham
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, CharlesCurtis(Antrim,S.)
Craik, Sir Henry
Cross, Alexander
Dalrymple, Viscount
Dixon, Sir Daniel
Douglas, Rt. Hon. A. Akers-
Fell, Arthur
Finch, Rt. Hon.George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hambro, Charles Eric
Hardy, Laurence(Kent,Ashford
Harrison-Broadley, Col. H. B.
Herbert, T. Arnold (Wycombe)
Hervey,F.W.F.(BuryS.Edm'ds
Hunt, Rowland
Kenyon-Slaney,Rt.Hon.Col.W.
Keswick, William
Kimber, Sir Henry
Law, Andrew Bonar (Dulwich)
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Muntz, Sir Philip A.
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Parker, SirGilbert(Gravesend)
Parkes, Ebenezer
Pease,HerbertPike(Darlington)
Rawlinson, JohnFrederickPeel
Roberts, S.(Sheffield,Ecclesall)
Rothschild, Hon.Lionel Walter
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford,East)
Smith, F.E.(Liverpool,Walton)
Stanley,Hon.Arthur(Ormskirk)
Staveley-Hill, Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Thomson, W.Mitchell-(Lanark)
Valentia, Viscount
Warde, Col. C. E. (Kent, Mid)
Wilson, A.Stanley(York,E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Younger, George

TELLERS FOR THE AYES.—Mr. Lambton and Viscount Turnour.

NOES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland(Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Astbury, John Meir
Atherley-Jones. L.
Baker, Sir John (Portsmouth)
Baring, Godfrey(Isle of Wight)
Barlow, J. Emmott (Somerset)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hn.H.(Eastbourne)
Beaumont,HnW.C.B.(Hexham
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, W.(T'w'rHamlets,S.Geo.
Berridge, T. H. D.
Bethell, J.H.(Essex,Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black,ArthurW.(Bedfordshire)
Boland, John
Bolton, T.D.(Derbyshire,N.E.)
Bottomley, Horatio
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L.(Lancs.,Leigh)
Brunner,RtHn.SirJT.(Cheshire
Bryce, RtHnJames(Aberdeen)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burnyeat, W. J. D.
Buxton, Rt.Hn.SydneyCharles
Byles, William Pollard
Cairns, Thomas
Cawley, Frederick
Chance, Frederick William
Cheetham, John Frederick
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Telix Thornley
Collins,SirWm.J(S.Pancras,W)
Cooper, G. J.
Corbett,CH(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Cremer, William Randal
Crooks, William
Crosfield, A. H.
Crossley, William J.
Dalziel, James Henry
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C.(Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Maj.E.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone,Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gurdon, Sir W. Brampton
Hall, Frederick
Hammond, John
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, ColonelIvor(Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, SirD.Brynmor(Swansea)
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Leese, SirJosephF.(Accrington)
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Lever, W.H.(Cheshire,Wirral)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah(Down,S.)
MacVeigh, Charles(Donegal,E.)
M‘Callum, John M.
M‘Crae, George
M‘Kean, John
M‘Kenna, Reginald
M‘Killop, W.
M‘Laren, H. D. (Stafford, W.)
M‘Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Marks, G.Croydon(Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.

Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, CharlesN.(Doncast'r
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Grady, J.
O'Kelly, James(Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, Sir W. D. (Colchester)
Pearson, W.H.M.(Suffolk,Eye)
Philipps, Col.Ivor(S'thampton)
Philipps, J.Wynford(Pembroke
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Price, C. E. (Edinb'gh, Central)
Price, RobertJohn(Norfolk,E.)
Priestley, W.E.B.(Bradford,E.)
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W.Monm'th
Richards, T.F.(Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Walter
Rutherford, V. H. (Brentford)
Rutherford, W. W. (Liverpool)
Samuel, HerbertL.(Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, Theodore C. (Radcliffe)
Thomas, Abel (Carmarthen, E.)
Thomas, SirA.(Glamorgan, E.)
Thomas, DavidAlfred(Merthyr
Thomasson, Franklin
Thompson,J.W.H.(Somerset,E
Thorne, William
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Ure, Alexander
Verney, F. W.
Vivian, Henry
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walton, Sir John L.(Leeds,S.)
Walton, Joseph (Barnsley)
Ward, John(Stoke upon Trent)
Ward,W.Dudley(Southampton
Warner, Thomas Courtenay T.
Wason, Eugene(Clackmannan)
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
Weir, James Galloway
Whitbread, Howard
White, George (Norfolk)
White, J.D.(Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams, J. (Glamorgan)
Williamson, A.
Wilson, Hon.C.H.W.(Hull,W.)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE NOES.—Mr. Whiteley and Mr. J. A. Pease.

MR. LAMBTON moved to insert after the word "court" the words, "if such action be brought by or on behalf of any workman or master engaged in the dispute." As the House did not accept the last Amendment it was absolutely necessary to have something in the clause to limit the action of trade unions when the Bill was passed into law. When the Attorney-General brought in the Bill in March last, there was nothing whatever in it about certain matters now included, and he wished to ask the hon. and learned Gentleman why this great change had been made. He thought it was due to the action of the hon. Member for Merthyr Tydvil. They all knew that the Government in the hands of the hon. Member for Merthyr Tydvil was as clay in the hands of the potter, and although the Attorney-General was a subordinate vessel in this Government, the potter appeared to have been able to mould him according to his will. He felt great sympathy with the hon. and learned Gentleman in his unfortunate position. While he listened to the speeches of the hon. and learned Gentleman in the course of these debates he could not help thinking of the lines of Omar Khayyam—

> "I remember as I passed one day
> Watching a potter thumping his wet clay,
> And with its all obliterated tongue
> It murmured, 'Gently, brother, gently, pray.'"

He must say that he regretted to see that the hon. and learned Gentleman's tongue had been obliterated—that tongue which was so wise, and just, and statesmanlike, on the earlier stages of the Bill. Since then, on the hon. and learned Gentleman's own confession, he had not carried out the intention of the Government which was expressed when the measure was first introduced. He would give another quotation. He believed the House liked quotations. He would suggest as a motto for the Attorney-General *Video meliora proboque deteriora sequor*. That had often been quoted in this House, but he ventured to think that it had never been quoted more appropriately than on this occasion. And to what was due this change of front on the part of the hon. and learned Gentleman who represented the law of this country? Those who went to the Attorney-General for advice in future would say "Oh, yes, I know the right course, but I intend to follow the wrong one." He wondered that the trade unionists were so short-sighted as to refuse to accept his previous Amendment, and he presumed that they would oppose the present Amendment. What was this demand that was made? It was a demand by the Socialists; but what an extraordinary demand it was for them to make. It was a demand for the protection of capital and nothing else—the capital of the trade unions and the capital of the unions of the masters. They all knew how the hon. Member for Merthyr Tydvil and his friends regarded private capital, but their opinion in regard to their own capital was very different. Every protection would be removed from property in that respect. Private property was to have no rights, and when they came to collective capital it was to be put above the law. He could not see how the Government could say that this was a just Bill or that it would even carry out their own object. Everybody must acknowledge that trade unions must have funds, else they could not conduct their strikes. They also agreed that they should be placed on an equality with masters in trade disputes. He did not wish to see their funds interfered with when they were used in a proper way. What he objected to was unlimited power being given to combinations of workmen to do all degrees and sorts of things. The Bill was not limited to disputes between masters and men. It had to do with trade unions as defined by the Acts of 1871 and 1876. The immunity given was carried far beyond trade disputes. It gave immunity to immense collections of capital, such, for instance, as the soap trust and other combinations formed in this country. They were giving under this Bill extraordinary power to collective capital. It was one of the most extraordinary Socialistic measures brought in by any Government in recent times.

*MR. SPEAKER: The hon. Member must confine himself to his Amendment.

MR. LAMBTON said the object of his Amendment was to protect ordinary civil persons in this country who were not parties to a trade dispute, so that they would be able to bring an action against a trade union. He begged to move.

MR. STANLEY WILSON seconded the Amendment.

Amendment proposed—

"In page 2, line 9, after the word 'court' to insert the words 'if such action be brought by or on behalf of any workman or master engaged in the dispute.'"—(*Mr. Lambton.*)

Question proposed, "That those words be there inserted."

SIR JOHN WALTON said he could not accept this Amendment. It altogether narrowed the Bill and obstructed the whole object of the clause.

MR. A. J. BALFOUR said he had hoped that they would have something more in the nature of an argumentative speech from the hon. and learned Gentleman. He said that it narrowed the Bill. Of course it narrowed the Bill, otherwise his hon. friend would not have moved it. The real point was that they were admittedly giving masters and men great privileges in respect of their organisations. It was to make it possible to say that trade disputes should be fought out with the gloves off, and that none of the limitations which were placed on the action of ordinary societies should be placed upon them. They ought to discuss this Amendment. So far as he knew not a single representative of the employers on the other side of the House had said a single word on the Bill. It might be the case that they liked it, or it might be for some other reason which he did not know. They were concerned in this House, not merely with disputes between masters and men, but with the public generally; and when they were arming either the workmen or masters with powers, not against each other, but against a third party, the public, was it not time to consider whether the power given either to the men's union or to the master's union was not too great? Were they seriously to be told that a great combination in a struggle with their workmen was to be empowed to inflict injuries on the public without any remedy which the public had against other associations? If the London and North Western Railway Company had a great controversy with their men, and it might be right so far as the men were concerned, or so far as the London and North Western Railway Company were concerned, to do away with the limitations in regard to the action of corporate bodies; but was the London and North Western Railway Company, for instance, or any great railway combination, to be allowed to do anything they pleased to the injury of the public in course of a dispute with workmen without any power on the part of the public to interfere at all? Everybody knew, and nobody better than hon. Gentlemen below the gangway, that in other countries, if not in this country, there was a steadily increasing organisation of large masses of capital under relatively small control. Were they going to allow combinations of that sort, without remedy to the public, to do whatever they liked to the public without any power of redress?

Mr. CROOKS (Woolwich): Take them over.

Mr. A. J. BALFOUR said there might be a difference between the collectivist idea of hon. Gentlemen opposite and that of the hon. Member. He did not know whether the hon. Gentleman had any idea of the collectivist theory being the rule in this country. He had no such hope or fear that it would be in his time or that of the hon. Gentleman. But in the meantime they were not legislating for a collectivist society, but for a society which, in spite of the Labour Party, was still individualistic; and the real question was whether they were going to give to the great corporations, whether of workmen or of masters, these enormous powers, not merely against each other to fight their battle out without fear or favour, but against the public which would be perfectly helpless if this Bill was passed in its present shape. That was the question before the House; and the brief and weary interjection of the Attorney-General could not, even by his warmest apologist, be said to afford anything in the nature of a reply to the Amendment.

Sir FREDERICK BANBURY said that, if the right hon. Gentleman would allow him to say so, he had put the case extremely fairly. The only point to which he took objection was his allusion to the London and North Western Railway. It was quite true that if this clause was put into their hands it would not be abused, any more than by the leaders of the trade unions. But that was no reason why such power should be given to them. Was there not something, he wondered, behind this Bill? Was there not, perhaps, some intention of putting into the hands of the hon. Member for Merthyr Tydvil some power with the view of making his class the governing class of the country, as he had said on Sunday last? He would say to the Attorney-General that before giving that power by this Bill he should pause.

*Sir FRANCIS LOWE (Birmingham, Edgbaston) said that as no answers had been given by the Government to the questions raised upon the Amendments he begged to move the adjournment of the House.

Mr. SPEAKER refused to accept the Motion made by the hon. Member for

Edgbaston, and put the Question, "That those words be there inserted."

The House divided:—Ayes, 67; Noes, 354. (Division List No. 376.)

AYES.

Acland-Hood,Rt.Hn.SirAlex.F.
Balcarres, Lord
Balfour,RtHn A.J.(City Lond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.
Beach,Hn.Michael Hugh Hicks
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Coates, E. Feetham (Lewisham
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig,Charles Curtis(Antrim, S.
Craik, Sir Henry
Cross, Alexander
Dixon, Sir Daniel
Douglas, Rt. Hon. A. Akers-
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Hambro, Charles Eric
Hardy,Laurence (Kent,Ashf'rd
Harrison-Broadley, Col. H. B.
Hervey,F.W.F.(Bury SEdm'ds
Hill, Sir Clement (Shrewsbury)
Hunt, Rowland
Kenyon-Slaney,Rt.Hon.Col.W.
Keswick, William
Kimber, Sir Henry
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Mildmay, Francis Bingham
Muntz, Sir Philip A.
Nicholson, Wm. G.(Petersfield)
Nield, Herbert
Parker,Sir Gilbert (Gravesend)
Parkes, Ebenezer
Pease,HerbertPike (Darlington
Rawlinson,JohnFrederick Peel
Roberts, S. (Sheffield, Ecclesall)
Rothschild, Hon. LionelWalter
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East
Smith,F.E.(Liverpool, Walton)
Stanley, Hn. Arthur(Ormskirk)
Staveley-Hill, Henry (Staff'sh.
Talbot, Lord E. (Chichester)
Thomson,W. Mitchell-(Lanark)
Thornton, Percy M.
Valentia, Viscount
Warde, Col. C. E. (Kent, Mid)
Wilson, A.Stanley (York, E.R.)
Wortley, Rt. Hn. C. B. Stuart)
Younger, George

TELLERS FOR THE AYES—Mr. Lambton and Lord Robert Cecil.

NOES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Allen,A.Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith,Rt.Hon.HerbertHenry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker,JosephA.(Finsbury, E.)
Baring,Godfrey (Isle of Wight)
Barlow,JohnEmmott (Som'rs't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont,Hn. H.(Eastbourne)
Beaumont,Hn.W.CB(Hexham)
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn,W.(T'w'r H'mlets,S.Geo.
Berridge, T. H. D.
Bethell,J.H. (Essex, Romford)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black,ArthurW.(Bedfordshire)
Boland, John
Bolton,T.D (Derbyshire, N.E.)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner,J.F.L.(Lancs., Leigh)
Brunner,RtHnSirJ T(Cheshire)
Bryce,Rt.Hn James (Aberdeen
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Buxton,Rt.Hn.Sydney Charles
Byles, William Pollard
Cairns, Thomas
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cawley, Frederick
Chance, Frederick William
Cheetham, John Frederick
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins,SirWm.J (S.Pancras,W.
Cooper, G. J.
Corbett,CH(Sussex, E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Cremer, William Randal
Crooks, William
Crosfield, A. H.
Crossley, William J.
Dalziel, James Henry
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S
Dickinson,W.H.(St.Pancras,N.
Dickson-Poynder,Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Dolan, Charles Joseph
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne,MajorE.Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro

Ffrench, Peter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone,Rt.Hn Herbert John
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B
Hall, Frederick
Hammond, John
Hardie,J.Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r.)
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hay, Hon. Claude George
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson,J.M (Aberdeen, W.)
Henry, Charles S.
Herbert,Colonel Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope,W.Bateman (Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones,SirD.Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Leese,SirJosephF. (Accrington)
Lehmann, R. C.
Lever,A.Levy (Essex, Harwich
Lever, W.H.(Cheshire, Wirral)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lynch, H. B.
Macdonald,J.M.(Falkirk B'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.
MacVeigh,Charles (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Marks,G.Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Montagu, E. S.
Montgomery, H.G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson,CharlesN (Doncaster
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien,Kendal (TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Grady, J.
O'Kelly, Conor (Mayo, N.)
O'Kelly,James (Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson,Sir W.D. (Colchester)
Pearson, W.H.M. (Suffolk, Eye
Philipps,Col.Ivor (S'thampton)
Philipps,J Wynford (Pembroke
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, C. E. (Edinb'gh, Central)
Price,Robert John(Norfolk, E.)
Priestley,W.E.B. (Bradford, E
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards,Thomas (W.Monm'th
Richards,T.F (Wolverh'mpton)
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Schwann,SirC.E. (Manchester)
Scott,A.H (Ashton under Lyne)
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Spicer, Sir Albert
Stanger, H. Y.
Stanley,Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas,Sir A. (Glamorgan, E.)
Thomas,David Alfred (Merthyr
Thomasson, Franklin
Thompson,J.W.H.(Somerset,E
Thorne, William
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George

Ure, Alexander
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampt'n
Warner, Thomas Courtenay T.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
Weir, James Galloway
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams, J. (Glamorgan)
Williamson, A.
Wilson, Hon. C. H. W. (Hull, W.)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Woodhouse, Sir J. T. (Huddersfd
Young, Samuel

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. RUFUS ISAACS said the Amendments he had to propose had already been discussed at some length by the House and therefore he need only formally move them. He proposed to amend the clause by leaving out the words "provided that." That did not affect the clause in any way, and then they started again from the words, "Nothing in this Act shall affect the liability," and continued to the end of the section, but he proposed instead of the words "such unions" to insert "trade unions"; that made the clause read better. These were drafting Amendments.

SIR JOSEPH LEESE (Lancashire, Accrington) seconded.

Amendments proposed—

"In page 2, lines 9 and 10, to leave out the words 'provided that.'"

"In page 2, line 11, to leave out the words 'such unions.'"

"In page 2, line 11, to insert the words 'trade unions.'"—(*Mr. Rufus Isaacs.*)

Amendments agreed to.

MR. RUFUS ISAACS said he proposed to add at the end of the clause the words of Section 9 of the Act of 1871, namely—

"Except in respect of any tortious act committed by or on behalf of a trade union in contemplation or in furtherance of any trade dispute."

In doing so he took the opportunity to explain that he did not dissent from the the words of Mr. Justice Mathew or challenge his judgment. He had only dissented from the interpretation which some persons had said could be placed upon these *dicta*. He begged to move.

MR. McCRAE (Edinburgh, E.) formally seconded the Amendment.

Amendment proposed—

"In Clause 4, at end, to add the words, 'Except in respect to any tortious act committed by or on behalf of a trades union in contemplation or in furtherance of any trade dispute.'"—(*Mr. Rufus Isaacs.*)

Question proposed, "That those words be there inserted."

MR. A. J. BALFOUR said there were two points which required some explanation. One was in regard to the words "trade dispute." Why had the Government refused to admit words in the earlier part of the clause restricting this to a "trade dispute" when they thought these words so necessary now? Why the Government should a few minutes ago have refused to limit this question to a trade dispute and should have done so now passed his comprehension. If he rightly understood him, the hon. and learned Member for Reading thought Mr. Justice Mathew was right in his judgment, and that the effect of this Amendment was to save the trade unions.

MR. RUFUS ISAACS said the judgment of Mr. Justice Mathew was a judgment in respect of a tort committed for which the trustees of trade unions were sued arising out of a matter which was not a trade dispute. The effect of these words was to prevent a person getting at the funds of a trade union in an action for damages for a tortious act committed during or in pursuance of a trade dispute. They were not to limit the operation of Section 9 of the Act of 1871.

MR. A. J. BALFOUR asked whether the hon. and learned Member would enlighten the House by saying why these words were required unless it was necessary to limit the scope of Section 9 as interpreted by Mr. Justice Mathew. Why introduce these words, and why, if it was intended to limit the scope of Section 9, was it said there was no intention to modify that section?

MR. RUFUS ISAACS said the operation of this Amendment would not affect the decision of all torts not concerned with trade disputes, but there were certain observations by Mr. Justice Mathew which had been interpreted wrongly by certain persons, and the introduction of these words would be to make it quite plain that those words did not apply to torts not having reference to trade disputes. It was solely for the purpose of preventing any possibility of any doubt as to the judgment of Mr. Justice Mathew being confined to that which he had decided that he moved his Amendment.

MR. A. J. BALFOUR understood the hon. and learned Gentleman was of opinion that Mr. Justice Mathew had been grossly misrepresented.

MR. RUFUS ISAACS: Not grossly misrepresented but misunderstood.

MR. A. J. BALFOUR said the hon. and learned Gentleman also thought that no reasonable person reading that judgment would fall into the error from which the hon. and learned Gentleman wished to save them; but he rightly thought that no hypothesis was too extravagant when they were dealing with the opinion of lawyers, and, in that case, even against the lawyers they had better protect themselves. It was a matter on which the hon. and learned Gentleman spoke with absolute authority, and as he had no opinion at all on the matter, he must leave it to be thought out by lawyers in the House.

Question put, and agreed to.

SIR JOHN WALTON moved additional words providing that the expression "trade union" should include any combination as defined in the Acts of 1871 and 1876, notwithstanding that such combination might be the branch of a trade union.

Amendment proposed—

"In page 2, line 17, at end, to add the words 'and shall include any combination as therein defined notwithstanding that such combination may be the branch of a trade union.'"—(*Sir John Walton.*)

Question, "That those words be there inserted," put, and agreed to.

SIR JOHN WALTON moved to insert the following definition:—"In this Act and in the Conspiracy and Protection of Property Act, 1875, the expression 'trade dispute' means any dispute which is connected with the employment or non-employment or the terms of employment, or with the conditions of labour, of any person, and in Section 3 of the last-mentioned Act the words 'between employers and workmen' shall be repealed." He said it had over and over again been observed that the Bill as it stood would enormously increase the range of trade disputes and might even include disputes between traders. They were all agreed that trade disputes should be limited to those concerned with questions of employment and conditions of employment. He used the word "person" in the definition, as was suggested by an Amendment of his learned friend the Member for Reading, as there were some persons by whom unions were formed who might not come within the term "workman." The word should be wide enough to cover every person employed in any trade, business, or industry.

Amendment proposed—

"In page 2, line 17, at end, to add the words 'In this Act and in The Conspiracy and Protection of Property Act, 1875, the expression 'trade dispute' means any dispute which is connected with the employment or non-employment or the terms of employment, or with the conditions of labour, of any workman, and in Section 3 of the last mentioned Act the words 'between employers and workmen' shall be repealed.' "—(*Sir John Walton.*)

Question proposed, "That those words be there inserted."

LORD R. CECIL proposed to add to the Attorney-General's proposed Amendment the following proviso:—"Provided always that the expression shall not include any agrarian dispute or dispute of a political character."

MR. SHACKLETON asked whether the Amendment was in order. The kind of dispute contemplated by the noble Lord must be one between landlord and tenant and not between employer and workman.

*MR. SPEAKER said it would be better to dispose of the Attorney-General's Amendment first and consider the addition to the Amendment afterwards.

Question put, and agreed to.

LORD R. CECIL moved an Amendment providing that the expression should not include any agrarian dispute or dispute of a political character. He thought it was quite plain that this clause legalised picketing subject to the definition of a trade dispute. Boycotting consisted of doing acts which in themselves, apart from agreement and conspiracy, were not actionable, and only became actionable because of the added importance caused by the combined action of a large number of people. This was allowed as long as it was done in contemplation or furtherance of a trade dispute, and what did that mean? He submitted that, judged by the Attorney-General's definition, it was quite clear that many of the best known acts of boycotting in Ireland would have been legalised by this Bill. For instance, a combination to dismiss workmen because of the votes they had given would be a trade dispute, and a combination to carry out that dispute would not be actionable under the first clause of this Bill. He did not believe the stories one sometimes saw in Liberal Papers that there had been any concerted attempt to influence votes by action of that kind. But no one could doubt that many of the disputes that had occurred in Ireland would have come within the terms of this definition.

SIR JOHN WALTON said they had had, at various stages of this Bill, references to boycotting in Ireland. He thought they had already expressed the opinion that that subject was foreign to the scope of this Bill, because those disputes were confined to disputes in reference to the tenure of property. Inasmuch as this Bill was confined to disputes as to the terms of employment of persons employed in some industry, trade or manufacture, he submitted that it could not refer to the terms on which a tenant held his land.

LORD R. CECIL said he understood the ruling was that it would be made quite clear that this definition did not relate to such matters as arose in Ireland and therefore it would be better not to discuss it.

MR. T. L. CORBETT asked whether the last Amendment had not altered the whole scope of the Bill?

*MR. SPEAKER: From the first I have taken the view that it would be stretching language too far to include agrarian disputes in the words "trade dispute." Clearly disputes of a political character cannot be included in that term. It seems unnecessary to specify a number of disputes, literary disputes, journalistic disputes, and so on. The series may be very long. I cannot help thinking that this Amendment is unnecessary, and if it is superfluous then it is irregular and out of order.

Lord R. CECIL said a dispute might occur in Ireland of this character. There might be the question of the employment of some particular men on a particular farm. A dispute might arise in precisely the same kind of way as in regard to the employment of a blackleg in a trade dispute. It would be a dispute connected with "the employment of any person" and it would come within the precise meaning of the Attorney-General's clause, and unless some such words were put in, there would be a very large number of disputes in Ireland which would be brought within the terms of this Bill.

Mr. A. J. BALFOUR thought the words "trade dispute" would entirely exclude everything in the nature of an agrarian dispute or a dispute of a political character. The Attorney-General had now defined trade dispute as something which took it out of what was technically meant by a trade dispute and had put it into a position which would never be described as a trade dispute, and it really brought it into the class of case which his noble friend had in view in moving this Amendment.

***Mr. SPEAKER**: If I were the Judge in this case and had to decide it I have no doubt about it personally, but I feel inclined to rule now that this Amendment is not in order on the ground that disputes of an agrarian and political character cannot be trade disputes.

Mr. A. J. BALFOUR pointed out that the difficulty arose from the definition of "trade dispute" which had just been introduced by the Government.

Mr. CHARLES CRAIG (Antrim, S.) pointed out the class of case which Members from Ireland had in their mind's eye when they asked the House to consider this Amendment. In a town, for instance, a bootmaker might through a difference with the local branch of the United Irish League be in their black books; he might be employing a certain man, and the United Irish League might order that man to leave his employment. That seemed to him to come under the definition of a "trade dispute;" that was to say, it was a dispute connected with the employment or non-employment of a person. The reason that they objected to the employment of that man might or might not have some reference to an agrarian dispute. The man might have made himself obnoxious to the United Irish League in a variety of ways, and therefore he said that the Amendment which the noble Lord had put down met the case. It was right that in Ireland they should guard against what might happen under this Act which was never intended to apply to such cases.

***Mr. SPEAKER**: I do not think that any Judge in interpreting this Act would ever so divorce the ordinary meaning of "trade dispute" from the meaning as defined by the Act. I do not think it ever could cover an agrarian dispute, and therefore I think that the Amendment is superfluous.

Bill to be read the third time To-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at twenty-six minutes
after Eleven o'clock.

HOUSE OF LORDS.

Tuesday, 6th November, 1906.

Several Lords took the Oath.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against. 1. Of inhabitants, parishioners, ratepayers, or parents of children attending schools in the following towns or parishes, viz.—Llandaff; Barnack-cum-Southorpe; Ipswich (St. Clement's); Blackburn (St. Paul's); Stoke-on-Trent; Marsworth; Hamer; Longgrove; Canterbury (St. Gregory); Streat; Frampton Cotterell; Teston; Teston; Radlett; Bullington; Lydd; Knaresborough; Idle; Berwick; Shipley; South Leverton; Boughwood; Bishopstowe; Offley; Stoke Row; Bilsington; Mere; Birkenshaw; Bispham; Ganton; Bettws; Belchamp Olten; Birstall; Batley; Dacre and Soulby; Newbiggin; Stainton; Wedlebury; Deene-cum-Deenethorpe; Sulham; Sulham; Swindon; Chapel Allerton; North Cray; Llowes; Moor Monkton and Kersey; Moor Monkton; Burham; Scarborough; St. Arvans; St. Enedor; Wakefield (Holy Trinity); Hackforth; Mount Pellon; Wakefield (Holy Trinity); Dulwich (St. Barnabas); Bradwell; Friern Barnet; Aycliffe; Old Brentford (St. Georges) (2); Scarborough (St. Martins); Chatteris; Esdon or Exton; Nettlebed; Llanrhystyd; Pea Kirk; Thursby; Aikton (2); Waverton-cum-Dundraw; Laxton; Corston; Southampton (All Saints); Sherfield English; Hunslet: Aberavon; Morden, Merton, and Wimbledon; Lampeter Velfrey; Lowick and Slipton; Paddington (St. James); Lendfield; Gosforth-on-Tyne; Wasing; Wereham; Little Wittenham (2); Wraxall; Stedham; Liversedge; Braceborough; Hope Mausel; Belton; Orlestone; Royston; Stogumber (2); Nun Monkton; South Cadbury; Aldington; Chelford; Kirkbride; St. Pauls, Silloth; Longville, Orton; Malpas; Barrington (2); Darwen; Rustington; Failsworth; Pennington; Bromberrow; Holborn (St. John's) (2); Islington (All Saints); Barnsley; Harlow; Walcot; Fakenham; Clelwood; Slaithwaite; Heathkeld; Alderley; Messing; Vernham Dean (3); Grafton Underwood; Balderstone; Elland; Holme; Long Crendon (2); Shudy Camps; Great Orton; Holme Cultram; Wigton; Chichester and District (2); Preston-on-Stour; St. Mary Stoke (Ipswich); Wimlish (Saffron Wallden); Petersham; South Raynham; Helhoughton; York (St. Lawrence); Swanbourne; Hinton; Seer Green; Monkton and Herrington; Clunbury; Drayton; Hindringham; Bournemouth (St. John's); Bournemouth; Branksome; Stinchcombe; Hinton-on-the-Green; Llancarfan; Moggerhanger; Armley and Wortley; Prestbury (2); Eaton; Cannington; Dowdeswell; Hampnett and Stowell; Martindele; Thursby; Rosley-with-Woodside; Hampnett and Stowell; Sambrook; Upton; Newark-on-Trent; Arnold; Bleasby; Newark; Shelton; Codnor and Loscoe (2); Breedon-on-the-Hill; Sparkenhoe; Brighouse; Canterbury (St Martin's); Redenhall (2); White Colne; Llandon; Culmington; Edgcott; Acton Turville; Stockland; Sibthorpe; Cuddesdon; Gonalston; Wingerworth; Lullington; Doverage; Ossington; East Bridgford; Sunninghill; Tideswell; Carsington (2); Llangattock; Torquay (St. Lukes); Laxton; Llanvihangel; Bramley; Barrow Gurney; Newbury; St. Erth; Caterham Valley; Westonbirt (2); Llandewi; Shaw; Cofton Hackett; Waterhead; Stone; Nether Stowey (2); Crick; Wentbridge (2); Eltham; Llangattock; Little Horwood (2); Burchetts Green; Stubbings; Little Billing; Shaw; Cranborne; Long Wittenham; Kirk Fenton; Darrington; Hull (St. James'); Darrington; Normanton; Cranborne; Bettws Penport; Brassaleg; Hull; Bath; Llanetltlyd; Kelmscote; Icomb; Bolton-le-Moors; West Grinstead; Norton; Rockfield (3); Enfield Forty Hill (2); Hurley and Stubbings; Llanwrim; Norton; New Brompton; Saintbury (St.Nicholas); Bolton Percy; Leigh; Sudeley Manor (2); Speen; Perraton (South Featherstone); Wartling; Axbridge (2); Norwich; Middleton; Hoyland Nether; Whitwood Mere; Oxford (St. Mary Magdalene); Coveley; Bicton; Fiddington; Harringworth: Horsley Wood-house; Harringworth;

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

Allestree; Newbottle and Charlton; Eakring; Ballingham; Llanrothall; Whitbourne; Middleton-on-the-Hill; Kingstone and Thruxton; Yarkhill; Lingen; Hereford (St. Martin's); Ackworth, Yorks; Leominster; Canterbury (St. Mary Magdalene); Goodrich and Marston; Yarkhill; Spelsbury; Llanwarne; Kimbolton; Islip; Aston Ingham; Openshaw; Hessle; South Dalton; Wolvercote; Ashton-under-Lyme; Little Moss (Manchester); Leesfield; Waterloo Ashton; Park Bridge (Leesfield); Gatefield; Leesfield, Knolls Lane (Manchester); Welton; Probus; Newsan-cum-Plush; Ashton (Manchester); Weeley; Berry Pomeroy; Fritwell; Leeds (St. Johns); Graveley; Hawkesbury and Tresham; Hallaton (2); Winchcombe (2); Michaelston-le-Pet; Fakenham; Highbury; Ashford; Nottingham; Westcote; Norton-sub-Hamdon; Fyfield; Biggin; Puttenham; Hucclecote; Weekley; Clandown; Whitminster (2); Whatley; King's Lynn (St. Margaret's); Brookthorpe and Whaddon; Blackburn (St. Michael's); Penzance (St. Mary's); Truro; Dunnington; South Petherton; Ashleworth; Hinckley; Bray; Langford; Holmes (Askington) Mareham and Garford; Penzance (St. Mary's); Bonvilston; Glodwick (St. Mark's); Sleaford and District; Walton-le-Dale; Pontenewydd; Horsley (2); Frankby; Coleford; Blackburn (St. Silas); Holcombe; Cheltenham (St. John's and St. Mark's); Boston; Childrey; Llanarth; Goodby Marwood; Hanging Heaton; Garnsley; Whitbourne; Kilmington; Black Notley; Brimscombe; Staplehill; Gedling; Broadwell; Bournemouth (Saint Paul's) (2); Leafield; Raynham, East; Raynham, West; Woolston (Gloucester); Tredington; Norton; Llanvair Kilgeddin; South Cerney; Haughton (Saint Mary's); Chedworth, Clevedon; Trull; Cawthorne; Princes Risborough; Tickencote; Bishopsworth; Marbury; Culham; Lydney; Worksop; Dyffryn; Kilburn (St. Augustine's); Farnsfield; Leicester; Scarborough; Kingswinsford (St. Mary's); Lyminster; Westham; Pevensey; Westmeston; Isfield; Brighton; Amberley; Stonegate; Sedlescombe; Danehill; Slindon; Woolbeding; Brighton (St. Stephens); Southover; Eastbourne (All Saints); Mayfield; Clapham and Patching; Hastings (All Saints); East Chiltington; Compton and Upmarden; Bepton; Eastbourne (Holy Trinity); Brighton; Fittleworth; Eastbourne (Christ Church and St. John's) Clayton-with-Frickley; Penrith, West; Charlton and Newbottle; Norwich (St. Giles); Morley St. Botolph; East Dean; Staplefield (St. Mark's); Nuthurst; Poling; and Brighton (St. Margaret's); 2. Of Norwich Rural Deanery; Manchester Diocesan Conference; Roman Catholic Residents in the Borough of Preston; Aikton Habitation of the Primrose League; Chapter of Clergy of the Rural Deanery of Wigton; Teachers and children of the parishes of Bowness-on-Solway and Aikton; Managers of Aikton Church of England School; Managers of Bigland's School; Governors and Managers of Wiggonby Endowed School; Delegates of Managers of Affiliated Schools (Northern Division of Cumberland); and Parish Council of Aikton and Clergy and Laity of the Rural Deanery of Wigton.

Read and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

COLONIES (MISCELLANEOUS): No. 37. CEYLON.

Report on the results of the Mineral Survey in 1904–1905 by Professor W. R. Dunstan, M.A., LL.D., F.R.S., Director of the Imperial Institute.

Presented (by Command) and ordered to lie on the Table.

SHOP HOURS ACT, 1904 (LEYTON URBAN DISTRICT).

Order made by the council of the urban district of Leyton, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for chemists and druggists' shops within the urban district.

POLLING DISTRICTS (COUNTY OF LANCASTER).

Order made by the council of the county of Lancaster re-dividing the Accrington Parliamentary Division into polling districts.

LUNACY ACTS, 1890 AND 1891.

Rules made by the Commissioners in Lunacy under the above Acts, with the approval of the Lord Chancellor, 1906.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to Order).

[The Earl OF ONSLOW in the Chair.]

Clause 4:—

LORD **KENYON**, in the absence of Viscount Ridley, moved to omit the words "after holding a public inquiry with reference to the application" in the first sub-section, in order to insert "or, in a case of dispute with the applicants for the facilities, if the Board of Education are satisfied." He said that the sub-section, as he proposed to amend it, would read —

> "(1) A local education authority shall afford extended facilities for religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870, and in accordance with the trust deed, if any, of the school, in any transferred voluntary school, by permitting the religious instruction given in the school to be instruction of that special character, notwithstanding anything in that section, if an application is made to them for those extended facilities, and if they are satisfied, or, in case of dispute with the applicants for the facilities, if the Board of Education are satisfied,——"

This Amendment was largely consequential on the substitution of the word "shall" for "may" in the opening line of the clause. The clause as amended provided that the local education authority should, subject to certain conditions, grant extended facilities. Those conditions were largely matters of fact, and it did not seem necessary that a local inquiry should be compulsorily held. Such inquiries necessarily created a good deal of local disturbance, and it seemed to him that it would be better if the matters in dispute went to the Board of Education in the first instance.

Amendment moved—

> "In page 3, line 28, to leave out from the word 'satisfied' to the end of line 29, and to insert the words 'or in case of dispute with the applicants for the facilities, if the Board of Education are satisfied.'"—(*Lord Kenyon.*)

*THE **LORD PRESIDENT** OF THE **COUNCIL** (The Earl of CREWE): My Lords, it is no doubt perfectly true that the situation as regards Clause 5 is materially modified by the decision to which your Lordships, as I think very unfortunately, arrived yesterday. So far as the appeal to the Board of Education is concerned, it may not appear to matter very greatly whether that appeal is mentioned in this clause or in the other. But if, as I understand, the noble Lord proposes to abolish the inquiry to be held by the local authority, that is not an arrangement to which we are disposed to agree, and if the noble Lord presses that point I am afraid we shall have to oppose him.

LORD **KENYON** said it was the provision with regard to the compulsory inquiry that he was trying to amend. He was prepared, if the noble Lord wished it, to insert after the words "public inquiry" the words "if they think fit."

*THE MARQUESS OF **LANSDOWNE**: My Lords, we have no desire whatever to get rid of the local inquiry. In many cases it may be most necessary that a local inquiry should take place, but I understand that what my noble friend has in his mind is that there might be cases where a local inquiry would be superfluous, and that in those cases it is not necessary to put the locality to the expense and inconvenience of holding one. That seems a reasonable proposal. But I could not agree to the proposal that the whole reference to the local inquiry should be taken out of this clause at this point.

THE EARL OF **CREWE**: Perhaps the matter might stand over on that understanding.

Amendment, by leave, withdrawn.

THE EARL OF **JERSEY** moved to omit the paragraphs (*a*) and (*b*), of the first sub-section, and to substitute the following—

> "(*a*) That a majority of the parents of the children attending the school desire such

facilities; and (*b*) that satisfactory arrangements in respect of religious instruction can be made for the other children attending the school."

He said that he did not think the ballot was a very good way of finding out the wishes of people in rural districts. It would be quite possible for the local authority to arrive at the wishes of the district in the first instance by means of petitions presented to them, and, after the parish had approached the local authority and asked for these extended facilities, the local authority could hold a public inquiry and all sides could be heard. He admitted that there were differences of opinion as to the word "majority." It was thought by some that a bare majority would be enough and by others that there should be a two-thirds majority. He would leave that point to be decided by the Committee. As to the proposed new sub-section (*b*), he thought it would be possible for arrangements to be made in a building close by for the children who wished to avail themselves of the conscience clause.

Amendment moved—

"In page 3, line 28, to leave out from the word 'satisfied' to the end of line 42, and to insert, '(*a*) that a majority of the parents of the children attending the school desire such facilities; and (*b*) that satisfactory arrangements in respect of religious instruction can be made for the other children attending the school.'"—(*The Earl of Jersey.*)

*THE EARL OF CREWE: My Lords, it occurs to me that the noble Earl has perhaps covered a rather unnecessarily wide field in the form which his Amendment has taken. He deals with three entirely different points—the number necessary before one of these schools can be constituted, the ballot, and the provision for the religious instruction for the minority elsewhere. I should like to ask your Lordships whether it would not be more agreeable and convenient, as we are in opposition to him on each of these points, that they should be taken separately rather than together, and with that purpose in view I suggest that an Amendment standing in the name of Earl Cawdor, moving to omit the provision for a ballot, should be considered first. It certainly does seem to me rather to confuse the issue if we have to take all three questions at once.

EARL CAWDOR said it was difficult to fall in with the view of the noble Earl, as all these questions were linked up together. His Amendment on the Paper was to leave out the words—

"As the result of a ballot taken previously to the inquiry as to the wishes of the parents in accordance with this section, it appears that."

He did not think he could be excluded, in speaking on that Amendment, from dealing with the other matters referred to by the noble Earl, as they were all part and parcel of the machinery by which the Government proposed to establish efficient facilities under this clause. He proposed at this stage to say what he had to say upon his Amendment. Under this clause he assumed that the Government were absolutely pledged, not alone to putting facilities into the Bill, but to making those facilities absolutely and truly efficient. Before the Bill was introduced pious opinions were expressed by members of His Majesty's Government as to what ought to be done, but they had time after time looked at the clauses of the Bill without finding any provisions carrying out those views. He was perfectly ready to accept the statement that noble Lords opposite and His Majesty's Government were in earnest in endeavouring to make these extended facilities absolute realities.

He asked their Lordships to consider for a few moments how this proposal was to be carried out. The Bill as it was introduced merely provided that extended facilities should be granted, or might be granted if four-fifths of the parents desired them. Then in Committee in the other House an Amendment was carried by the Government providing that the ballot should be brought into force in order to ascertain the wishes of the parents. The ballot was to be absolutely secret. Their Lordships had before them the draft ballot regulations which had been issued in connection with this Bill, and to them he proposed to refer in a few moments. He thought it was most desirable that they should ascertain the views of the parents in favour or against extended facilities by the very best method in order that those opinions might be expressed freely and fully without being hampered or biassed by undue influence. He cared not whether this was done by means of the ballot or in any other way; he wished the parents to be able freely to record their opinions. But how was this clause going to work?

He had been surprised at the want of effort on the part of His Majesty's Government to make the Bill a workable Bill. For the first time that day they had Amendments placed on the Paper by the noble Earl in charge of the Bill. Some of them would no doubt have looked with curiosity to see what those Amendments were, but they proved to be merely trivial drafting Amendments. Did noble Lords opposite mean to assert that the Bill was so well drafted and so carefully considered that it was going to be an easily worked Bill? If so, they were the only people in the world who thought so. If they wished to make the Bill a workable one, why did not the Government come down to their Lordships' House and point out how the clauses, one after another, could be turned into workable clauses in place of the inextricable confusion in which they now were?

Let them consider for a moment what it was that was required under this clause in order that facilities might be obtained. First of all, four-fifths of the parents must desire to have the facilities; and, in the second place, it must be shown at a public inquiry that there was sufficient public school accommodation in the schools not affected. The draft ballot regulations provided two things. They first of all provided that the parents who wished for extended facilities should vote in one column, and those who did not wish for extended facilities were to vote in another column. Both classes, those in favour and those against, were clearly by the ballot regulations intended to vote, and provision was made accordingly. Let them assume that four-fifths of those who voted asked for extended facilities. They came then to the second consideration. Before a case could be established at the local inquiry it must be shown that for the children other than the children of the parents who had asked for the facilities there was sufficient suitable school accommodation in the district. How were they going to ascertain this? How could they possibly tell whether there was accommodation for these children unless in the first instance they knew who the children were, what kind of accommodation they wanted and whether it was in the infants' school or in the higher standard schools? It was necessary further, to know where they lived and whether they could get to the schools proposed for them.

The ballot was secret. If they were going to maintain the secrecy of the ballot, he contended that it was absolutely impossible to prove a case for extended facilities under this clause. He asked the noble Earl in charge of the Bill to explain step by step the method by which proof could be given, at the same time maintaining the absolute secrecy of the ballot. Some parents, of course, would have voted for extra facilities, and a good many might not have voted at all, and, therefore, he held that before they could come to any definite conclusion it was absolutely essential that they should ascertain who the children were. In this case there was an attempt made in the clause to combine two things that were really quite incompatible, first, the secrecy of the ballot, and secondly, the necessity before a public inquiry to establish a case in favour of extended facilities by showing that there was accommodation in other available schools for certain definite children.

He wished to say one word with regard to a note in the draft ballot regulations. There was laid down in these draft regulations the form in which the vote was to be taken and a sample of the counterfoil, and then followed what appeared to him a very peculiar note. It appeared three times and was to this effect—

> "If a person votes in favour of the affording of extended facilities, the child in respect of which he so votes cannot be reckoned in the number of those for whom accommodation is to be required in other schools under Section IV., (1), sub-section (*b*) of the Education Act of 1906."

But if the secrecy of the ballot was maintained, how could they possibly identify any child or any parent as coming under this note? He adhered to the view that it was of the essence of the clause that they should find out, in the best possible way, exactly what the free and independent opinion of the parents was, but they must not, while posing before the country as giving extended facilities in this clause, kill those facilities by the machinery put into the Bill. He asked the noble Earl how he thought it possible to maintain the secrecy of the ballot, and at the same time enable anyone coming before the public inquiry to establish a case in favour of extended facilities by showing that there was accommodation for certain definite children.

*THE EARL OF CREWE: My Lords, before I reply to the observations of the noble Earl who has just sat down, perhaps I may be permitted to ask where we stand. I appealed to your Lordships just now to take these matters separately. The noble Earl opposite objected, stating that he desired to deal with a number of other matters in this clause, without which he considered he was unable to make his speech. As a matter of fact, he did not deal with any of them, and I should be very glad if one of your Lordships on the Front Bench opposite could inform me whether we are taking these matters together or one by one. Are we going to deal first with the question of the ballot and divide upon that—and then deal with the question of numbers and divide upon that? Or is it the intention of your Lordships to take these perfectly distinct and different matters together and have one division upon them?

*VISCOUNT ST. ALDWYN agreed with the noble Earl that it was difficult to discuss these several matters at once. He suggested that they should discuss the ballot first, and then, if the ballot was rejected, they could come to the consideration of the Amendment moved by Lord Jersey; the question of the majority could next be discussed, and the other questions to which the noble Earl referred could be dealt with later.

*THE EARL OF CREWE: That seems to me a most reasonable suggestion, and it entirely meets my views. It would be obviously unfair, I think, to discuss all these questions at once, because some noble Lords might approve of one and disapprove of another. Consequently if the course suggested by the noble Viscount is taken it will entirely meet our wishes on this side of the House.

*THE MARQUESS OF LANSDOWNE: I do not think my noble friend Lord Cawdor in any way suggested to the Committee that we should decide upon all these questions by a simultaneous vote. He argued, I think with very great force, that these points are overlapping points, and that it was not possible to discuss the question of facilities without referring to the whole of these matters.

THE CHAIRMAN OF COMMITTEES suggested that the Committee might consider the omission of all the words from "application" to "section" inclusive. That would enable their Lordships to decide the question of whether there was or was not to be a ballot, and it would then be equally competent for Lord Jersey to move his Amendment as to the majority of parents.

*THE EARL OF CREWE: My Lords, I will now proceed to say a few words in reply to the noble Earl opposite. The noble Earl's speech did not appear to me to stand in any particular relation to his Amendment. His Amendment is to abolish the ballot altogether, but he did not adduce a single argument in favour of that course. What he did was to endeavour to show that our ballot regulations were inconvenient, and did not carry out their purpose, but, on the question whether a ballot was the proper form of deciding the question as to how many parents were in favour of these particular facilities, I understood the noble Earl to have something of an open mind. If so, he was undoubtedly following the example of the Leader of his Party in the other House, because when the matter was before the House of Commons, Mr. Balfour, while, I think, making the same criticisms as those made by the noble Earl, certainly did not express himself as being altogether against the ballot. I confess, therefore, that I am somewhat at a loss to know whether I ought to argue the question as to the necessity of the ballot as against a system of open voting, or whether I am merely expected to say something in reply to the special points in relation to the ballot regulations issued by the Board of Education, to which the noble Earl objects. Perhaps I had better say a word on the question of the holding of the ballot as the Motion is to exclude the ballot.

I must remind your Lordships that yesterday you extended these facilities to rural districts, and I got into a little trouble, I am afraid, with some of your Lordships opposite through venturing to hint that there might be parts of rural England in which the action of individuals was not so perfectly free as it is in others. The noble Marquess Lord Lansdowne said I had drawn a somewhat lurid picture of rural life in England. I thought my picture was drawn in very sober colours indeed, and I cannot help thinking that the noble Marquess attached perhaps too much weight to his own experience, to the state of things which, as I know, exists on his own estate, and, I hope, on many other estates, and did not make allowance for what might obtain in other parts of the country. However, I will take it as being the opinion of the majority of the Committee that there is no part of England in which the fact that a man is a very ardent Dissenter or a very active Radical can operate in any way to his material disadvantage.

Not only is it the fact that the noble Earl opposite agreed that the vote of these parents ought to be given everywhere without fear or favour; it is also the fact that we wish to get a perfectly definite opinion from these parents, and we desire, I frankly admit, to put them to a certain degree of trouble to express that opinion. If a mere list of names were enough, such a list, I have no doubt, could be easily obtained in many places. There is nothing simpler than to add one's name to a list when no liability whatever is involved. I remember once being on a body who had to administer a charitable fund for the benefit of old and sick people engaged formerly in a particular employment. Those people were appointed to the benefits of the charity largely on the recommendation of the many employers of that particular kind of labour in the neighbourhood. We found discrimination difficult owing to the fact that all the employers of labour in every case wrote their names at the bottom of the lists in favour of all the candidates. And for a very obvious reason. When a man comes to your house to ask you to put your name to a paper, your object is to get him out of the house as rapidly as you can, and where no liability is concerned the probability is that the simplest way to do that is to comply with his request. Consequently, in a case of this kind we do not desire to rely on indiscriminate signatures, but we mean that there shall be a definite expression of preference on the part of the particular parents who desire these special facilities.

I am quite aware of the difference which exists between noble Lords opposite and ourselves in this matter. It is true, as the noble Marquess Lord Lansdowne yesterday pointed out, that we look on this matter from a different point of view. Noble Lords opposite wish to have the denominational system as the rule and the undenominational system as the exception. As the Bill now stands noble Lords opposite have only left somewhere about 5,000 schools or less, out of the whole number in England, in which no denominational teaching can be given. We are quite aware of what their point of view is. Our point of view is the opposite one—that the undenominational system should be the rule and the denominational the exception. That sets a great gulf between us and your Lordships opposite. Whether in the course of these discussions that gulf can be bridged, I cannot say; but, unless it can, there can be no question of arriving at a settlement of this matter.

Now, my Lords, I come to the point raised by the noble Earl opposite. He first of all complained that we had not put a number of Amendments on the Paper. I must once more repeat that the Bill as it comes up from the other House represents the views of His Majesty's Government, and, as regards minor Amendments relating to improvements in form, I can only say that we do not desire to put down

Amendments on such points as those until we have had the benefit of receiving the valuable advice of noble Lords opposite. After all, there are several stages in a matter of this kind, and Amendments which have to do with form and not with substance are always, I think, more fitly dealt with in quite the later stages of the Bill. I am bound to say that if symmetry is what is aimed at, the Bill as it has been amended by noble Lords opposite leaves a great deal more to be desired than when it arrived in your Lordships' House. On the question of the ballot the noble Earl drew attention to the draft regulations. Those regulations, it must be remembered, are only draft regulations; they are not regulations finally agreed upon to be issued in this form. I understand that the point to which the noble Earl particularly addressed himself was as to how it was possible, at the inquiry to be held after the ballot, that, a parent should be able to say he had not voted without the identity of all the parents who had voted becoming——

EARL CAWDOR: I did not say that the fact of a parent stating that he had not voted would disclose how someone else had voted. What I said was that there were to be two categories of voters, and that if you disclosed either of these you would be violating the secrecy of the ballot.

*THE EARL OF CREWE: I apprehend the noble Earl's point. What happens is this. The ballot is held, and four-fifths of the votes are in favour of extended facilities. The next proceeding is to fulfil the second condition in the Bill, as to whether sufficient accommodation exists. The same number of places would have to be found in other schools as there were minority voters. I can assure the noble Earl that he overrates the difficulty of finding places for a given number of children. It is perfectly easy to strike an average in that matter. It is not necessary to know who the individual child is.

THE MARQUESS OF SALISBURY: What does the noble Earl mean by striking an average?

*THE EARL OF CREWE: An average of age. I understood the noble Earl's point was that a certain number might be children of the higher standards and a certain number infants. I think the noble Earl made that point.

EARL CAWDOR: That is so. I said that you would require to know how many were infants and how many required accommodation in the higher standards. They might all be children requiring accommodation in infant schools. You surely could not average those children. You must know who they are, and without that information you cannot put them in their right places.

*THE EARL OF CREWE: The noble Earl seems to assume that the number of vacant places must inevitably be so limited that it is necessary to find, so to speak, a square hole to put every child in. In practice it will be found that in one or two neighbouring schools there are a considerable number of places over. That would happen in nineteen cases out of twenty, and to suppose that it is necessary that every child's age, height, and weight must be discovered before you could find accommodation for it in another school is the most fanciful suggestion I have ever heard made in this House. I do not know whether the noble Earl desires me to dwell on the point as to what would happen in the event of a parent not voting. If a parent is indifferent to obtaining accommodation elsewhere and desires to continue in the four-fifths school, it is competent for him to go before the inquiry and, by a very very simple and ingenious contrivance, make it clear that he has not voted, and, therefore, his child or children need not be taken into account when it comes to be a question of finding accommodation.

EARL CAWDOR: I never suggested that you disclosed the ballot on finding out that some one had not voted. It is an argument which the noble Earl is producing for his own purposes.

*THE EARL OF CREWE: I did not hint that the noble Earl had used that argument. It is an extremely good argument from our point of view, because it does add considerably to the chance of those who have fulfilled the four-fifths condition not losing the benefit of that through the possibility of there not being accommodation enough elsewhere. We consider this provision for a ballot to be of the first importance, and we are therefore quite unable to accept the Amendment proposed by the noble Lord.

THE DUKE OF DEVONSHIRE: My Lords, I understand that it is the general opinion of the House that it would be convenient as far as possible to confine the present discussion to the question whether there should be a ballot in any case, reserving further discussion as to what the numbers in the clause should be or how the ballot should be conducted. I venture to submit to your Lordships that, although it is quite possible that recourse to the ballot may be a part of the necessary proceedings in certain cases, it does not follow that it is necessary that there should be a ballot in every case. It is quite possible that there may be cases in which the claim for extended facilites is of so clear a character that there is no necessity for a preliminary resort to the ballot.

The noble Earl who had just spoken said that he attached very little importance to any expression of opinion on the part of the parents which did not involve some trouble on their part. I presume that his attention has been called, as mine has been, to certain cases in which the parents of children attending voluntary schools have already in the only way they could, by attaching their signatures to a memorial, expressed a desire that the denominational character of the schools should be maintained. I admit that those signatures are not proof that there is any very strong or active desire on the part of those parents, but at all events they are proof that they entertain no objection to the continuance of the school as a voluntary school; and I do not see why the evidence furnished by such memorials should not be taken into consideration and given effect to without having recourse to a perfectly unnecessary ballot.

I am acquainted with a town of considerable importance in Yorkshire where Nonconformist opinions are very strong. The largest and the most numerous schools in that town are council schools, but there are two small voluntary schools, the parents of the children attending which have almost unanimously signed a memorial in favour of the retention of denominational instruction in those schools. Now, my Lords, I want to ask what conceivable harm can be done to anyone in such cases as those if, on application being made to the local education authority, those schools are permitted to continue as they are? There is ample accommodation in the council schools for all the children who do not want to make use of the voluntary schools; and the voluntary schools are actually attended by a considerable number of Nonconformist children, who might perfectly well, if their parents desired it, make use of the council schools. I fail to see that in that case the preliminary resort to the ballot required by this clause should be thought necessary. It is quite possible that the result of the ballot might not be to continue the denominational character of school, for, as I have said, a very considerable number of those attending the school are the children of Nonconformists. An agitation might be got up against the continuance of those schools, and the parents who have signed this memorial might be induced to vote in the ballot against their retention as denominational schools.

I ask, who can possibly be injured by the retention of the denominational character of those schools in such circumstances? There can in this case be no question that the parents of the children attending them have objection to the religious instruction which is given in them; there can be no question that there is ample accommodation for the children who desire religious instruction; and who is damaged by allowing the authority in that case, if they think fit, to sanction the granting of special facilities in those schools without going through the preliminary process of ballot, which possibly might result in a different conclusion? I admit there may be cases of a less obvious character. There may be cases in which it is doubtful whether the majority of the parents do or do not desire that these facilities should be given, and it may be desirable that in a subsequent stage of the proceedings resort should be had to the ballot or some other means of ascertaining the facts; but I submit that it is an unnecessary proceeding to require that a ballot should in all cases be taken before the authority is even permitted to extend these facilities to existing voluntary schools.

THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Lord FITZMAURICE) said the point raised by Earl Cawdor as to the difficulty of identifying the children was a good but an ingenious point, and one of those points which were too small to be really taken into consideration in a matter of this kind. *De minimis non curat lex* was a very sound maxim in this matter. The Board of Education and the local authorities had constantly to deal by the law of averages with questions relating to accommodation in the schools and he saw no difficulty in applying that rough and ready rule to this case. In that way the difficulty raised by the noble Earl would be got over. Any suggestion from the noble Duke opposite was bound to receive the most careful and earnest attention of His Majesty's Government. As to the case of the town in Yorkshire quoted by the noble Duke, he would repeat that it would have been unjust if, in cases where the wishes of the majority were met, there was not also protection for the teaching desired by the minority. Therefore the noble Duke and His Majesty's Government in regard to this matter were, so to speak, animated by a common desire. The view of His Majesty's Government was that it would be better on the whole to have uniform machinery to deal with all the cases. Though the Government could not accept this Amendment, they were, nevertheless, inclined to admit that the matter was one in regard to which a good deal might be said, and on further consideration means might be discovered for meeting the cases described.

*THE MARQUESS OF LANSDOWNE: My Lords, after the statement to which we have just listened we shall certainly not suggest to my noble friend behind me to press his Amendment. I desire, however, to make it perfectly plain that when he placed it on the Paper he did so, not because of any objection entertained on these benches to the ballot as such, but because we believed that the ballot clause in the Bill would be unworkable. The sole object of the ballot is to give protection to those who are about to vote, and though some of us may not consider that that protection is so necessary as noble Lords opposite appear to think, I freely admit that, after hearing the statement which the noble Earl the Lord President of the Council made to us last night with regard of the pressure to which he believed voters in such a case were liable, I should be reluctant to resist any proposal made by him for the purpose of rendering such pressure impossible.

But, my Lords, as I said just now, the clause as it stands seems to us unworkable. That, I think, was demonstrated by my noble friend behind me, and it has scarcely been denied on the benches opposite that he was successful in making his point. I am afraid I must add that the explanation offered by the Lord President left my mind in a greater state of bewilderment than it was at the outset as to how it can be possible to ascertain whether sufficient places had been provided for the minority without some steps being taken to find out how the minority was constituted, the ages of the children, the standards at which they had arrived, and their places of residence. I, however, will not labour that point. I merely wish to take note, and I do so with satisfaction, that the point is one upon which His Majesty's Government desire to reserve their opinion. That being so, we shall certainly not put the Committee to the trouble of dividing.

THE EARL OF CAMPERDOWN said that before their Lordships left this subject he would like to ask a question as to the way in which sub-section (a) would work. The noble Earl the Lord President, when appealed to with reference to the draft ballot regulations, stated that it did not follow that the ballot would be worked under those draft regulations. What was the good of laying draft regulations on the Table if it did not follow that they would be used? To adopt the expression used on the previous night by Lord Grimthorpe, it was "pulling the leg" of the House. It had to appear, as the result of the ballot, that the parents of at least four-fifths of the children attending the school desired the facilities. How were they to get that by this Bill? Supposing there were 100 parents, and of sixty who voted fifty recorded their vote in favour of extended facilities and ten against. How were they to obtain by means of the ballot the opinion of the other forty, and in what position would they be?

*THE EARL OF CREWE: In reply to the noble Earl I have to say that, under such circumstances as those to which he has alluded, the conditions of sub-section (a) of Section 1 of Clause 4 would not be satisfied, and the school would not have the chance of becoming a four-fifths school.

LORD ASHBOURNE: Are the absent parents counted either way?

THE EARL OF CREWE: The parents of four-fifths of the children have to vote.

*VISCOUNT ST. ALDWYN said the Duke of Devonshire had made a suggestion which he understood from the Under-Secretary of State for Foreign Affairs His Majesty's Government were quite prepared to consider. Might he ask whether they would object to the insertion of words in the clause in order to carry out the suggestion that the ballot should be at the option of the local authority? If those words were inserted the ballot would not be held unless there was real reason for it in the view of the local education authority. That could be effected by the insertion, after the word "ballot," of the words "which may be directed by the local education authority to be taken."

EARL CAWDOR: Will the noble Earl also reply to my point in regard to the Note?

*THE EARL OF CREWE: I hope the noble Viscount will allow us to consider the point and give him an answer at a later stage. I cannot reply at the moment. The noble Earl (Lord Cawdor) called attention to the Note appended to the Schedule, and his point was, I think, that the Note was open to some objection on the ground that it would infringe the secrecy of the ballot. I think I can reassure the noble Earl on that point. It is simply a warning to a parent that, if he votes in favour, the number of places which are required, or possibly might be required, elsewhere for accommodation is reduced by one.

THE MARQUESS OF SALISBURY: By the number of his children, I suppose.

*THE EARL OF CREWE: He had a ballot paper for each child. Therefore if he had six children it would be reduced by six. Supposing there was a school with 150 children. In order to warn the parent what the effect would be he is told that if he gives his one vote, or six votes, whatever the case may be, in favour of facilities he must not then go and ask for accommodation elsewhere.

THE DUKE OF DEVONSHIRE: I do not know that the noble Earl has explained what further opportunity will be given of considering the question of the preliminary ballot. I understand that the Amendment before the Committee is the Amendment of my noble friend Lord Jersey, and if the words which he proposes to omit are left in the clause the question of a preliminary ballot will be thereby concluded.

LORD STANLEY OF ALDERLEY was convinced that nothing but mischievous results would follow from allowing local authorities an option in regard to the ballot. The Government had undertaken to consider the question and see what could be done between now and the Report stage, and he hoped that no hasty pledge would be given across the Table.

VISCOUNT GALWAY said he would like to know, if his noble friend Lord Cawdor withdrew his Amendment, what further opportunity there would be of discussing the matter, and whether fresh draft regulations would be prepared before the next stage, so that noble Lords would have an opportunity of fully and fairly discussing the matter.

*THE EARL OF CREWE: The ballot regulations are in substance what we propose to issue, but we do not wish to pledge ourselves to the precise words and terms in every instance, and therefore they were laid as draft regulations. Great pressure was put on my right hon. friend the President of the Board of Education to give the substance of the regulations as early as possible, and therefore he brought them out in this form, which he could not say was absolutely final. But they are in the form in which, speaking generally, they will be issued. In respect to the point raised by the noble Duke, I assume that if there is any question of reconsidering any part of this matter all the Amendments which would cause the complete abandonment of the ballot are withdrawn. I imagine that is understood. As regards the possibility mentioned by my noble friend behind me of some modification after consideration, I must, of course, remind the Committee that any modification of that kind would be almost necessarily contingent on the whole of the rest of the clause remaining in that form in which it was when it came up to this House.

EARL CAWDOR said that, before consenting to withdraw his Amendment, he would like to know whether they were going to receive at a later stage a statement of the views of His Majesty's Government on this clause, which was at present unworkable. He thought they were entitled to an answer to that question.

LORD FITZMAURICE held that he had shown that the clause in itself was perfectly workable. There might possibly be a case where a decision could be come to without the necessity for a ballot, and that case would be considered.

THE MARQUESS OF SALISBURY was sure the enormous majority of their Lordships were satisfied that the Lord President had made no answer to the difficulties which had been pointed out, and, seeing it had been shown that the clause was unworkable, the Government should bring up new words.

*THE EARL OF CREWE: My Lords, I think we are entitled to ask for some suggestion from noble Lords opposite. We are perfectly prepared to carry the clause as it stands, and have not the slightest desire to make any alteration in it whatever. The noble Earl opposite drew attention to one point, and I explained that, although it might have a certain plausibility, I did not think that in practice anything would arise out of it. The point raised by the noble Duke is an entirely different one, and it requires no redrafting of the clause. If any concession of that kind were made, as to which I can say nothing whatever, it could be done by the insertion of a very few words. If noble Lords do not like this clause I hope they will draw up one and put it on the Paper. If, however, noble Lords dislike the clause and wish to see it out of the Bill I should advise them to divide against it on the present occasion.

*VISCOUNT ST. ALDWYN said the Opposition had no objection to the principle of the clause. They desired as strongly as noble Lords opposite that the wishes of the parents should be ascertained without the smallest external pressure whatever. If the Government thought that in ordinary cases the best way was the ballot, then the Opposition had not the smallest objection to the principle of the ballot. All they asked was that the Government should deal fairly with the practical difficulty which had been pointed out.

*THE EARL OF CREWE: I repeat that we will certainly consider the whole matter before Report in the light of the speech of the noble Earl and the suggestion of the noble Duke.

VISCOUNT HALIFAX referred to the statement of the noble Earl the Lord President to the effect that the question which divided the Committee was whether denominational teaching should be the rule and undenominational teaching the exception, or *vice versa*. He denied that that was the question which divided the Committee. The question which divided them was whether or not parents who sent their children to school should have the kind of teaching they preferred for their children. He supported the Amendment, and, having quoted the Chancellor of the Exchequer as saying that if the parent of a single child objected, the extended facilities would not be allowed unless there was another school to which this single child could go, ridiculed the idea of calling this impartial treatment of the 99 per cent. of children whose parents wanted the extended facilities. He insisted that if a majority of the parents in a transferred Church school desired the extended facilities they were entitled to have them.

THE CHAIRMAN OF COMMITTEES pointed out that the first part of the Amendment, in the form in which it was before the Committee, scarcely read with the clause. He suggested it should run "If it appears that the parents of a majority of the children attending the school desire such facilities."

THE EARL OF JERSEY said he accepted the Amendment in that form.

VISCOUNT LLANDAFF regretted that they could not get a decision upon the question of the ballot now while this clause was before them in Committee. He had an Amendment on the Paper, which would involve the question of the ballot as well as that of the four-fifths majority. To his mind Earl Cawdor had clearly established that the secrecy of the ballot and the ascertaining of the alternative accommodation were incompatible. The explanation of the noble Earl was that it was enough to have regard to the vacant places in the locality. But, supposing a minority of forty who objected to facilities were all Baptists and that the fifty vacant places were in a Roman Catholic school, how could it be said that those fifty places constituted alternative accommodation? If alternative accommodation existed in provided schools in a district the minority in the voluntary schools had no grievance at all. They were there by their own choice. What right, therefore, had they to vote on a question affecting the future management of the voluntary school? He thought it was most unreasonable to insist that the parents of four-fifths of the children of a transferred school should decide the religious character of the school. It must not be forgotten that the voluntary school was established for the purpose of giving instruction in a particular religion, and surely it was enough for a majority of the parents of the children attending it to decide that its special religious atmosphere should continue under the new conditions. Could it be contended, on any principle of justice, that the minority should be allowed to overrule the wishes of the majority, and take possession of a school which, from its foundation, had had a particular character and atmosphere about it? The case seemed to him to be very strong in favour of the Amendment moved by Lord Jersey. The proposition that alternative accommodation must be afforded for the minority, however small, was monstrous. They might have one Baptist child in a Church of England school of 300, and yet the existence of that child, if alternative accommodation could not be found, would deprive the 299 Anglicans of the privilege they at present enjoyed. This was so exorbitant a proposal that he did not know how to deal with it more effectively than simply to state it. He appealed to their Lordships to adopt the Amendment.

LORD HENEAGE asked whether his noble friend Lord Jersey would not accept the Amendment standing in his name on the Paper, to leave out the words "of at least four-fifths" and insert the words "majority of the."

THE CHAIRMAN OF COMMITTEES: That is exactly the question before the Committee.

*THE LORD BISHOP OF HEREFORD said the extended facilities were intended to meet the case of perfectly homogeneous schools, which practically consisted of children all of the same denomination, and if the provision as to four-fifths of the parents of the children attending such a school was changed, it would alter the whole character of the clause. He thought it was an unreasonable demand. Some noble Lords supported it because they desired an atmosphere, as if the children could not breathe freely in another atmosphere. The extended facilities should be confined to those schools which were practically homogeneous, and only contained by accident a few children of a different denomination.

THE EARL OF DENBIGH said he knew of several Catholic schools which contained a considerable number of non-Catholic children. These children attended the schools for their own convenience, and it would be intolerable if the doctrine of the right rev. Prelate were accepted and the schools were to lose their Catholic atmosphere. The noble Earl the Lord President of the Council had told them that three were only two logical alternatives that could be put forward—one was secularism, and the other the granting of universal facilities. But the alternative of secularism had been rejected by an overwhelming majority of the House of Commons, and the other alternative had been rejected by His Majesty's Government. Therefore their Lordships had to make the best of a bad job. He quite agreed that there were only two logical alternatives, but they had now to take the least illogical of the various illogical propositions that had been put forward and the one which would cause the least grievance. There never was a more illogical Bill than this. They had the Minister for Education telling the country that minorities must suffer, *apropos* of a Bill, whose main provision, as far as they could see, was that majorities should suffer. And the Bishop of Hereford now spoke of the great injustice to the minorities, and took no account whatever of the injustice to the majority for whom the schools were built. Their great grievance was that the Government seemed to deny any rights whatever to parents. At a meeting, last April, of the Education Committee of the National Council of the Evangelical Free Churches it was stated that one of their objections to this clause was that it—

> 'Introduces into legislation the false principle of giving the parent, as a parent, an additional direct control beyond that which he exercises as a citizen."

He protested strongly against that doctrine. The net result of it was that the well-to-do parent, who was able to afford tutors and governesses was to be allowed to exercise the rights of a parent, but the poor man, who could only send his child to the elementary school, was to be given only that control to which he was entitled as a citizen. He did not know whether that was the voice of the advance guard of the new Socialism, one of whose doctrines, he believed, denied the rights of home life, but a statement of that sort was an outrage.

*THE EARL OF CREWE: The right rev. Prelate the Bishop of Hereford was, in my opinion, perfectly correct in the description he gave of the object of His Majesty's Government in the fourth clause of the Bill—namely, that where it could be shown that there is a distinct predominance in a particular school of one particular kind of religious opinion, every effort should be made to preserve the denominational character of that school. But further than that we do not go, and we are utterly unable to tamper with the figure four-fifths, or to accept the Amendment which has been moved by Lord Jersey. My noble friend opposite, Lord Halifax, misunderstood what I said the other night with regard to denominational and undenominational education. He and I, I think, meant, in fact, the same thing. He starts from the idea that the parent has a right to demand any kind of religious education he likes, and that, therefore, as a consequence of that, denominational schools should have the preference wherever they are to be found. We, on the contrary, say that the national rule and system should be undenominational education, and that where distinct bodies of persons can be found demanding a special type of religious education, means should be provided for enabling them to carry on that education for themselves.

The noble Viscount on the cross benches, Lord Llandaff, dealt with the question of the ballot as well as with the question immediately before your Lordships. I do not complain of that. I return to the subject of the ballot for the purpose of correcting one misunderstanding into which the noble Viscount fell. We have not reserved the question of the ballot. On the contrary, I do not think any word which fell from any of us on this side of the House could properly give colour to that opinion. All that I said was that we were prepared to give a respectful consideration to the suggestion made by the noble Duke, and, I also added, to consider if on further thought there was more in the objection raised by Earl Cawdor than appeared to me at the time he made it. The noble Viscount on the cross benches assumed, I think, something which ought not to be assumed, and that is, that the minority in these four-fifths schools are necessarily hostile, or even likely to be hostile. I should have thought that the fact that a number of children, not perhaps of the particular denomination, had been in the habit for some time past of attending those schools was a reasonable warrant to suppose that they would wish to go on attending them, and that in that case they would vote for religious education being continued as before. It is inconceivable to suppose that in the case of an urban area to which we confined the operation of this clause, the case of one Baptist child could be used to stop the machinery of the clause. Therefore, if it should happen elsewhere the noble Viscount (Lord Llandaff) must not blame us.

The noble Lord opposite, Lord Denbigh, stated that this was not a logical Bill. Whatever defence has been made of it, I do not think anybody has ever said it was logical. If we had meant to make it logical we should have stopped at Clause 1. I do not know whether noble Lords opposite would have liked it any better for that. I am of the same opinion that I have always been, that the secular system and the system of universal facilities are the only two which can be described as logical. The secular system, at any rate for the present, is rejected by the country; the all-round facilities system was not pressed by noble Lords opposite; and, if it had been pressed and carried, I should very much like to know what the noble Earl, Lord Denbigh, and his co-religionists would have said about a system of universal facilities which must inevitably be destructive of what they value, namely, the special atmosphere of their schools.

Then the noble Earl asked, How is it that you cannot provide the same facilities for the poor that the rich are enabled to find for their children? Obviously it is impossible. If you have people of five and six religious denominations in one neighbourhood, you cannot find five or six schools for them. All that you can secure is that as little hardship as possible is inflicted on individuals, and that is what we have attempted in this Bill. The parent as an argumentative instrument is, I must admit, rather a modern invention; four years ago we did not hear much of it; it was the sanctity of the trusts more than the rights of the parent that was then dwelt on. Yet the two things stand in no real relation to each other. All that we can say is that in this clause we believe that we have met the case of the vast majority of schools which can be described as predominatingly denominational; the case of the others we do not pretend to meet. We do not profess or desire to meet the case of the continuance as denominational schools of schools in which one faith is not predominant. That fact alone, simply stated, is enough, I think, to justify us in the absolutely uncompromising opposition we are compelled to offer to this proposal to reduce the figure from four-fifths.

These Amendments moved by noble Lords opposite do place us in a difficulty, and to show the difficulty in which we are placed I will quote a few words from a speech delivered in the other House on 25th June last by Mr. Chamberlain. I hope I may be allowed to say, in passing, how deeply we regret Mr. Chamberlain's illness, and how his political opponents share with his political friends the hope that he may very soon be resored to complete health and to his old activity. Mr. Chamberlain on that occasion was in full agreement with the noble Lords opposite as to the imperfect and anomalous character of Clause 4. He considered that the Government could only do away with what he termed the absurd distinctions of place and number. Your Lordships have done away with distinctions of place, and are now, I conceive, engaged in doing away with distinctions of number. But Mr. Chamberlain went on to say that if those conditions were satisfied—

> "They (the Government) would have introduced a Bill in which they would have altogether

neglected their great principle of freedom of teachers from tests, . . . introduced a system in which they would not have given the public the control of the denominational schools." †

Your Lordships will see how difficult it is for us even to consider, much less to accept, the Amendments of noble Lords on the other side of the House, and noble Lords themselves, I imagine, must be in a certain difficulty on that point if they agree with Mr. Chamberlain that these Amendments which they propose are destructive of the two great principles of no tests for teachers and public control. Noble Lords opposite profess to be in entire accord with these two principles, and they are driven to the alternative either of disavowing Mr. Chamberlain and saying that he was mistaken or of admitting that they are engaged in destroying these two ruling principles.

THE DUKE OF NORFOLK said the speech of the noble Earl emphasised the fact that voluntary schools were going to fare very badly indeed unless those who believed in their necessity came to their assistance with all the force they could command. There was a special hardship in the case of Roman Catholic schools, because in many parts of the country they had been built, in view of the fluctuations of population, far larger than was actually necessary, and children of other denominations had in large numbers sought and obtained hospitality in them. The ratepayers had, therefore, been freed to a great extent from the cost of building schools by reason of the accommodation which had been provided in the Catholic schools. And now they were told that such a school was not to be regarded as a school belonging to, or supported by, a denomination unless four-fifths of the children actually in the school belonged to that denomination.

*THE EARL OF CREWE: No, unless the parents of four-fifths of the children were willing for the teaching to go on as before.

THE DUKE OF NORFOLK said they were encouraged to believe that that would be the same thing. If that were so, why make such a point of the four-fifths, and why not accept a majority? The Government were forcing through a Bill which would bring religious strife into every municipal contest and into public life in a way in which it had never been brought before. It was surely a gross injustice that a minority should have power to change the whole character of a school, simply to carry forward the policy of His Majesty's Government to curtail the number of voluntary schools in the country. They knew of many bodies and societies in which the *status quo* was not allowed to be altered unless two-thirds of those connected with them passed the modifying rule. But here the Government were requiring a four-fifths majority. They had had no defence of that provision at all. All they had been told was that the voluntary schools had to go. He was sorry his noble friend, Viscount Ridley, was not in his place. His noble friend had an Amendment on the Paper to substitute two-thirds for four-fifths, but the noble Viscount had informed him that he was perfectly prepared to accept the words "a majority."

LORD KENYON: I have Viscount Ridley's authority to withdraw that Amendment in view of this one.

THE DUKE OF NORFOLK was glad to hear that statement. To the Catholics this was a very vital question indeed, and he sincerely trusted their Lordships would see not only the logic but the justice and fairness of their claim and support Lord Jersey's Amendment.

*LORD STANLEY OF ALDERLEY said he quite understood the value that persons might attach to the "atmosphere" pervading the whole life of the school, but he would point out that the claim for the atmosphere pervading the whole life of the school during the secular hours was an absolute invasion and infringement of the principles which had animated the administration of elementary education ever since the passing of the Act of 1870.

The Roman Catholic Church had deliberately built schools, quite apart from any expectation of fluctuation of population, vastly in excess of the needs of the Roman Catholic population, and they had almost invariably sided with the Church of England in opposing the provision of places by means of board schools when there was an insufficiency of accommodation. When the Free Education Act was passed the Board of Education habitually, when a demand was made for free education by Protestant children, proferred vacant places in Roman Catholic schools as suitable and satisfactory, and he had never seen any active protest from the Roman Catholic body claiming that they only wanted their schools for their own community.

---

† See (4) *Debates*, clix, 705.

He had always recognised that in a national system there ought to be a large interpretation of the word "suitability" in regard to school accommodation, but that liberal construction was to be used on both sides, so as to give facilities for board school accommodation when that was demanded as well as recognition of denominational schools. Many of these schools had been built in districts in which nearly the whole of the population was Protestant. He mentioned the case of Costessey, in Norfolk, where the only school in the parish was a Catholic school, and another case in Flintshire where the Roman Catholic school, on the admission of the managers, contained 95 per cent. of children of Protestant Nonconformists.

Therefore they should not let it be put to the Committee that this was a claim on the part of a peaceful, patient minority, suffering for conscience' sake, merely to educate their own children. That was a claim which was absolutely forgotten in the days of their alliance with the Church of England to keep down, if they could, the spread of the popular system and the popular management of the school boards. If this Bill in the form in which the Government had put it on the Paper were accepted fairly and candidly it would establish a thoroughly national system for the people of the country as a whole, under national management, and even in places like Wales it would be recognised that side by side with the national system for the great majority there ought to be a liberal application of consideration for exceptional minorities. It was obvious that the object of this and other Amendments was to take the whole life out of the Bill and not frankly to recognise national management and freedom from tests.

THE LORD BISHOP OF BIRMINGHAM said there was a great difference between a willingness on the part of parents to accept for their children teaching which was not exactly according to their own conviction and a readiness to vote for the continuance of such teaching. There was a Roman Catholic school in his diocese which was very considerably attended by children of parents who were not Roman Catholics. These parents, he believed, were perfectly ready to allow the teaching to go on, but he felt quite sure that if it came to a matter of voting they would be very far from being prepared to cast a vote in favour of the continuance of such teaching. This was a point of the greatest importance, and one which their Lordships should have in view.

A reference had been made by the noble Earl the Lord President to the opinion held by Mr. Chamberlain. Mr. Chamberlain's view was that if they really wanted to carry out a system of State control over all schools and a total abolition of any regard on the part of the State for the religious opinions of the teachers, there was only one way by which that could be effected, namely, by taking away altogether from the State any control or regulation of religious teaching and giving it to the religious denominations. Then, and then only, could the State really decline to have any regard to the religious opinions of the teachers.

Churchmen and the maintainers of voluntary schools were being asked to make a tremendous surrender, namely, the surrender of the management of their schools so that their children could be brought up with definite religious convictions. He agreed with Mr. Birrell that if there was to be so great a sacrifice there was only one boon that could be regarded as fair compensation, and that was equal facilities all round in all schools. If that was not to be granted, then Churchmen could not be expected to be ready to make that sacrifice. Let them see to it that even small minorities were provided for with perfect justice, and that religious teaching was not forced upon children against the wishes of their parents in any school whatever. If all the schools were to be brought under public control, let them see to it that some fair equivalent was given to Churchmen for so great a sacrifice.

*THE MARQUESS OF LANSDOWNE: My Lords, I need not detain your Lordships for more than a moment. The point which we have reached is a very narrow one, and I shall confine myself strictly to it. It is a very narrow point, but it is one of immense importance, upon which we on this side of the House feel very strongly indeed.

Let me say, in half a dozen words, what I understand the proposal of His Majesty's Government upon this particular question to be. I understand it to be suggested to your Lordships that a school, the whole character of which has been denominational, which has been encouraged and supported for years past as a denominational school, which has met the requirements of the locality in which it is situated, and which has been unimpeachably conducted, may have its character entirely transformed in order to meet the views of a minority of parents. That seems to us to involve a great injustice. In our view the desire of the majority should be allowed to prevail. And when I say the majority I am not aware at this moment of any form of words which would define what that majority should be, except the simple expression "the majority" itself.

We have had upon the Paper references to "sufficient majorities" and "reasonable majorities"—expressions which appear to me to be dangerously vague and to be contrived with a desire to elude the real difficulty before the Committee. In our view it would be utterly unreasonable that in a school such as I have described a minority of, say, 21 per cent. of the whole number of parents should be able to transform the character of the school, and to make it conform to the model they would prefer. It seems to us that a proposal of that kind is contrary to common sense. It seems to us also opposed to the pledges which have been again and again given by His Majesty's Ministers. If the thing is wrong in theory we believe that in practice it would work disastrously, and that it would exclude a very great number of schools—Roman Catholic and Church of England—which, if the policy proclaimed by His Majesty's Government is to prevail, should be admitted to the benefits of this clause.

There is only one qualification which I wish to add to that statement, and it is this, that if we are to allow the views of the majority to prevail, it seems to me to follow logically that we should go almost any length in order to protect the rights and feelings of the minority. We on this side of the House mean what we say upon that point. I am glad to notice that my noble friend Lord Cadogan has an Amendment upon the Paper, to which we shall presently come, which is evidently framed for the purpose of safeguarding minorities whether small or large, and I, for one, shall gladly vote with him if he takes the sense of the Committee upon it. Meanwhile, on this particular Amendment, I gladly record my vote with my noble friend Lord Jersey.

THE LORD PRIVY SEAL (The Marquess of RIPON): My Lords, I quite agree with my noble friend who has just sat down that we have reached a question of the greatest importance, and I cannot but regret the moving of an Amendment which, if carried, would render the intentions of the clause altogether nugatory. His Majesty's Government desired by this clause to give special facilities, in addition to others already given, to those schools which could show that they were substantially of a denominational character, and I believe that to go beyond that, and to propose to give those special facilities to a school in which there was a majority of one of a certain religious opinion, would be to risk the whole of the body of this clause, and it would be absolutely fatal to its working.

I desire to take a practical view of this question. We have had in relation to this matter of education a great deal too much disregard of what is practical and possible. The Committee for this reason stands in the position in which it finds itself, and if a clause of this description is now necessary it is because four years ago you utterly disregarded practical considerations. In one sense of the word I might desire to make this clause universal, but my object, both as a member of His Majesty's Government and as a Roman Catholic, is to place this clause on a basis upon which it is likely to stand. I do not believe that if this Amendment is passed and if you ask the other House of Parliament, with the views which the vast majority of the Members of that House are known to entertain, to pass the clause in the shape in which you desire to place it, you will have any chance whatever of their acceding to the demand, and you run the greatest possible danger of losing all that which under this clause you might obtain.

The speech of my noble friend behind me, Lord Stanley of Alderley, will show your Lordships what can be said upon this subject; it will show your Lordships what are the opinions entertained by a small number of persons in this House but by a vast majority in the House below. As your Lordships listened to that speech you surely could not doubt that the demand which you are now making is dangerous and excessive. I quite admit that the proposal of His Majesty's Government in this respect—aye, and the proposal of noble Lords much more so—is not logical in regard to the general scheme of this Bill. But the Government have brought forward this proposal, and the other House of Parliament has accepted it, granting it to be illogical, because they believe it will do substantial justice to a large section of their fellow subjects. Such is the object which we have in view, but we cannot consent to adopt a system which is not only illogical, but which would be inconsistent with the fundamental nature and character of the Bill, and which would, I firmly believe, simply have the effect of altogether preventing this measure of justice, to which I for one attach vast importance, from being passed into law.

THE LORD BISHOP OF LONDON desired to have from the Government some answer to the objections that had been raised that a small number of Nonconformist parents could break up the character of a denominational school. The reply would help them in forming a judgment upon the Amendment now before the Committee.

THE EARL OF CAMPERDOWN said that, though he should vote for omitting four-fifths, he preferred two-thirds to a mere majority.

*THE EARL OF CREWE: My Lords, in reply to the right rev. Prelate I am afraid I can give him but very little comfort of the kind which he desires. It is impossible for us to consider individual cases of hardship that may arise under a clause of this kind. I can hardly conceive any regulation that might be made on this or, indeed, on most subjects, in connection with which it would not be possible to produce an instance of hardship and injustice. If noble Lords carry their majority Amendment somebody might possibly produce an instance where a great hardship was inflicted by the fact that the number of the denominationalist body fell just short of half. I am afraid it is impossible for us to depart from the general principle which we have laid down in this matter—namely, that the school must show a very substantial denominational character before the question can be considered at all. We start, I know, from a very different point in that matter from noble Lords opposite. I can only regret it. But I do believe that, in a very great number of instances, where there is a considerable minority of children whose parents do not ostensibly hold the Church view, there will be many parents of those children who, liking the teaching and the whole character of the school, will vote for its being continued as at present. The other point was as to one child preventing the machinery of the clause from working. I treat that in the manner in which one treats a proposition which one regards as extravagantly improbable, and therefore really hardly worthy of detailed examination.

On Question, whether the words 'at least four-fifths' stand part of the clause, their Lordships divided:—Contents, 48; Not-Contents, 196.

CONTENTS.

Crewe, E. (*L. President.*)

Ripon, M. (*L. Privy Seal.*)
Northampton, M.

Beauchamp, E.
Carrington, E.
Chesterfield, E.
Chichester, E.
Craven, E.
Portsmouth, E.
Russell, E.
Temple, E.

Althorp, V. (*L. Chamberlain.*)

Hereford, L. Bp.

Aberdare, L.
Boston, L.
Brassey, L.
Burghclere, L.
Colebrooke, L.
Coleridge, L.
Courtney, of Penwith, L.
Davey, L.
Denman, L. [*Teller.*]
Elgin L. (*E. Elgin and Kincardine.*)
Eversley, L.
Farrer, L.
Fitzmaurice, L.
Glantawe, L.
Grimthorpe, L.
Hamilton, of Dalzell, L.
Haversham, L.

Joicey, L.
Kinnaird, L.
Loch, L.
Lyveden, L.
Nunburnholme, L.
O'Hagan, L.
Overtoun, L.
Pirrie, L.
Reay, L.
Ribblesdale, L. [*Teller.*]
Sandhurst, L.
Sefton, L. (*E. Sefton.*)
Shuttleworth, L.
Stanley of Alderley, L
Tweedmouth, L.
Wandsworth, L.
Weardale, L.
Welby, L.

NOT-CONTENTS.

York, L. Abp.

Norfolk, D. (*E. Marshal.*)
Bedford, D.
Devonshire, D.
Grafton, D.
Leeds, D.
Newcastle, D.
Northumberland, D.
Rutland, D.

Abergavenny, M.
Ailesbury, M.
Bute, M.
Exeter, M.
Hertford, M.
Lansdowne, M.
Salisbury, M.
Winchester, M.

Abingdon, E.
Albemarle, E.
Amherst, E.
Ashburnham, E.
Cadogan, E.
Camperdown, E.
Carnwath, E.
Cathcart, E.
Cawdor, E.
Clarendon, E.
Dartmouth, E.
Darnley, E.
Dartrey, E.
De La Warr, E.
Denbigh, E.
Derby, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Egerton, E.
Feversham, E.
Gainsborough, E.
Guildford, E.
Halsbury, E.
Hardwicke, E.
Harewood, E.

Huntingdon, E.
Ilchester, E.
Jersey, E.
Kilmorey, E.
Lathom, E.
Lindsey, E.
Londesborough, E.
Lonsdale, E.
Lucan, E.
Mar and Kellie, E.
Nelson, E.
Northbrook, E.
Northesk, E.
Onslow, E.
Pembroke and Montgomery, E.
Plymouth, E.
Powis, E.
Scarbrough, E.
Shaftesbury, E.
Shrewsbury, E.
Stamford, E.
Vane, E. (*M. Londonderry.*)
Waldegrave, E. [*Teller.*]
Westmeath, E.
Westmorland, E.
Yarborough, E.

Churchill, V. [*Teller.*]
Colville, of Culross V.
Falkland, V.
Falmouth, V.
Goschen, V.
Halifax, V.
Hill, V.
Hutchinson, V. (*E. Donoughmore.*)
Iveagh, V.
Knutsford, V.
Llandaff, V.
Ridley, V.

Bangor, L. Bp.
Bath and Wells, L. Bp.
Birmingham, L. Bp.
Bristol, L. Bp.
Chester, L. Bp.

Chichester, L. Bp.
Lincoln, L. Bp.
London, L. Bp.
Oxford, L. Bp.
St. Asaph, L. Bp.
St. David's L. Bp.
Salisbury, L. Bp.
Southwark, L. Bp.
Wakefield, L. Bp.

Abinger, L.
Addington, L.
Alington, L
Allerton, L.
Alverstone, L.
Ampthill, L.
Armstrong, L.
Ashbourne, L.
Ashcombe, L.
Atkinson, L.
Avebury, L.
Balfour, L.
Barnard, L.
Barrymore, L.
Bateman, L.
Belhaven, and Stenton, L.
Belper, L.
Biddulph, L.
Blythswood, L.
Bolton, L.
Borthwick, L.
Boyle, L. (*E. Cork and Orrery.*)
Brancepeth, L. (*V. Boyne.*)
Braye, L.
Brodrick, L. (*V. Midleton.*)
Burton, L.
Calthorpe, L.
Carysfort, L. (*E. Carysfort.*)
Chaworth, L. (*E. Meath.*)
Cheylesmore, L.
Clanwilliam, L. (*E. Clanwilliam.*)
Clements, L. (*E. Leitrim.*)
Clifford of Chudleigh, L.
Clonbrock, L.

Colchester, L.
Dawnay, L. (*V. Downe.*)
De Freyne, L.
de Ros, L.
Deramore, L.
Digby, L.
Douglas, L. (*E. Home.*)
Dunalley, L.
Ebury, L.
Ellenborough, L.
Estcourt, L.
Fairlie, L. (*E. Glasgow.*)
Fingall, L. (*E. Fingall.*)
Forester, L.
Gage, L. (*V. Gage.*)
Gormanston, L. (*V. Gormanston.*)
Harlech, L,
Harris, L.
Hastings, L.
Heneage, L.
Herries, L.
Hothfield, L.
Howard of Glossop, L.
Kelvin, L.
Kenmare, L. (*E. Kenmare.*)
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Kenyon, Earl
Kilmarnock, L. (*E. Erroll.*)
Kintore, L. (*E. Kintore.*)
Knaresborough, L.
Lawrence, L.
Leigh, L.
Leith of Fyvie, L.
Lovat, L.
Masham, L.
Meldrum, L. (*M. Huntly.*)
Methuen, L.
Monckton, L. (*V. Galway.*)
Monk, Bretton, L.
Mostyn, L.
Mowbray, L.
Muncaster, L.
Napier, L.
North, L.
Oranmore and Browne, L.
Ormathwaite, L.
Penrhyn, L.
Ponsonby, L. (*E. Bessborough.*)
Ravensworth, L.
Redesdale, L.
Ritchie of Dundee, L.
Robertson, L.
Sackville, L.
Sanderson, L.
Sandys, L.
Seaton, L.
Shute, L. (*V. Barrington.*)
Silchester, L. (*E. Longford.*)
Somerton, L. (*E. Normanton.*)
Stalbridge, L.
Stanmore, L.
Stewart of Garlies, L. (*E. Galloway.*)
Stratheden and Campbell, L.
Tennyson, L.
Teynham, L.
Waleran, L.
Wenlock, L.
Wolverton, L.

On the Question, "whether the words 'the majority' be there inserted," being put—

THE EARL OF CAMPERDOWN said he desired to insert "two-thirds" instead of "the majority," but he was advised by the authorities of the House that the proper course for him was to vote against the insertion of "the majority." If it were carried it would, of course, dispose of the question, but if it were rejected the way would be open to him to move to insert "two-thirds." He was conscious of the injustice of insisting on "four-fifths"; but, on the other hand, it was unreasonable to provide that by a bare majority every denominational school should be enabled to insist upon having the extended facilities.

LORD BELPER agreed with his noble friend, but perhaps, in order to avoid another division, the Government would give some expression of a hope that at a later stage of the Bill they might be able to accept an Amendment which would make the required numbers neither four-fifths nor a bare majority, but something between.

No reply was given.

On Question, that the words 'the majority' be here inserted, their Lordships divided:—Contents, 133; Not-Contents, 83.

CONTENTS.

Norfolk, D. (*E. Marshal.*)
Grafton, D.
Leeds, D.
Newcastle, D.
Northumberland, D.

Abergavenny, M.
Ailesbury, M.
Bute, M.
Exeter, M.
Hertford, M.
Lansdowne, M.
Salisbury, M.
Winchester, M.

Abingdon, E.
Amherst, E.
Ashburnham, E.
Cadogan, E.
Carnwath, E.
Cawdor, E.
Clarendon, E.
Denbigh, E.
Derby, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensbury.*)
Eldon, E.
Feversham, E.
Gainsborough, E.
Guilford, E.
Halsbury, E.
Huntingdon, E.
Ilchester, E.
Jersey, E.
Lathom, E.
Lindsey, E.
Londesborough, E.
Lonsdale, E.
Lucan, E.
Nelson, E.
Northesk, E.
Pembroke and Montgomery E.
Plymouth, E.
Powis, E.
Saint Germans, E.
Shaftesbury, E.
Shrewsbury, E.
Stamford, E.
Vane, E. (*M. Londonderry.*)
Waldegrave, E. [*Teller.*]
Westmeath, E.
Westmorland, E.

Churchill, V. [*Teller.*]
Falkland, V.
Halifax, V.
Hill, V.
Hutchinson, V. (*E. Donoughmore.*)
Iveagh, V.
Llandaff, V.

Bangor, L. Bp.
Birmingham, L. Bp.
Lincoln, L. Bp.
London, L. Bp.
Oxford, L. Bp.
St. David's, L. Bp.
Salisbury, L. Bp.
Wakefield, L. Bp.

Abinger, L.
Addington, L.
Allerton, L.
Alverstone, L.
Armstrong, L.
Ashbourne, L.
Ashcombe, L.
Atkinson, L.
Avebury, L.
Barrymore, L.
Bateman, L.
Belhaven and Stenton, E.
Biddulph, L.
Blythswood, L.
Bolton, L.
Boyle, L. (*E. Cork and Orrery*)
Brancepeth, L. (*V. Boyne.*)
Braye, L.
Chaworth, L. (*E. Meath.*)
Cheylesmore, L.
Clanwilliam, L. (*E. Clanwilliam.*)
Clifford of Chudleigh, L.
Clonbrock, L.
Colchester, L.
De Freyne, L.
de Ross, L.
Deramore, L.
Douglas, L. (*E. Home.*)
Dunalley, L.
Ellenborough, L.
Estcourt, L.
Fairlie, L. (*E. Glasgow.*)
Fingall, L. (*E. Fingall.*)
Forester, L.
Gage, L. (*V. Gage.*)
Gormanston, L. (*V. Gormanston.*)
Harlech, L.
Harris, L.
Hastings, L.
Heneage, L.
Herries, L.
Howard of Glossop, L.
Kelvin, L.
Kenmare, L. (*E. Kenmare.*)
Kenyon, L.
Kilmarnock, L. (*E. Erroll.*)
Lawrence, L.
Leith of Fyvie, L.
Lovat, L.
Masham, L.
Monckton, L. (*V. Galway.*)
Montagu of Beaulieu, L.
Mowbray, L.
Napier, L.
North, L.
Ormathwaite, L.
Penrhyn, L.
Ravensworth, L.
Redesdale, L.
Robertson, L.
Sandys, L.
Seaton, L.
Silchester, L. (*E. Longford.*)
Stewart of Garlies, L. (*E. Galloway.*)
Stratheden and Campbell, L.
Tennyson, L.
Teynham, L.
Waleran, L.

NOT-CONTENTS.

York, L. Abp.

Crewe, E. (*L. President.*)

Ripon, M. (*L. Privy Seal.*)

Rutland, D.

Northampton, M.

Beauchamp, E.
Camperdown, E. [*Teller.*]
Carrington, E.
Cathcart, E.
Chesterfield, E.
Chichester, E.
Craven, E.
Dartmouth, E.
Dartrey, E.
De La Warr, E.
Hardwicke, E.
Harewood, E.
Kilmorey, E.
Northbrook, E.
Onslow, E.
Portsmouth, E.
Russell, E.
Scarbrough, E.
Temple, E.
Yarborough, E.

Althorp, V. (*L. Chamberlain.*)

Ridley, L.

Bath and Wells, L. Bp.
Chester, L. Bp.
Hereford, L. Bp.
St. Asaph, L. Bp.

Aberdare, L.
Ampthill, L. [*Teller.*]
Balfour, L.
Barnard, L.
Borthwick, L.
Boston, L.
Brassey, L.
Burghclere, L.
Burton, L.
Clements, L. (*E. Leitrim.*)
Colebrooke, L.
Coleridge, L.
Courtney of Penwith, L.
Davey, L.
Dawnay, L. (*V. Downe.*)
Denman, L.
Digby, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Eversley, L.
Farrer, L.
Fitzmaurice, L.
Glantawe, L.
Grimthorpe, L.
Hamilton of Dalzell, L.
Haversham, L.
Headley, L.
Joicey, L.
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Kinnaird, L.
Kintore, L. (*E. Kintore.*)
Lyveden, L.
Monk Bretton, L.
Nunburnholme, L.
O'Hagan, L.
Oranmore and Browne, L.
Overtoun, L.
Pirrie, L.
Ponsonby, L. (*E. Bessborough*)
Reay, L.
Ribblesdale, L.
Ritchie of Dundee, L.
Sanderson, L.
Sandhurst, L.
Sefton, L. (*E. Sefton.*)
Shuttleworth, L.
Stalbridge, L.
Stanley of Alderley, L.
Tweedmouth, L.
Wandsworth, L.
Weardale, L.
Welby, L.
Wolverton, L.

THE EARL OF JERSEY said that, as he had already moved this new sub-section earlier in the evening, it was hardly necessary for him to say many words on the Amendment he now proposed. The difference between the sub-section he proposed and that of the Government Bill was that, whereas in the Government Bill one of the conditions of the clause was that there must be a public elementary school to which the children who did not come under the facilities clause would have to go, the sub-section he proposed would enable the local authority to decide whether sufficient accommodation could be found for the children either in a class-room or close by.

Amendment moved—

"In page 3, line 35, to leave out sub-section (*b*) and to insert the words "(*b*) that satisfactory arrangements in respect of religious instruction can be made for the other children attending the school.'"—(*The Earl of Jersey.*)

*THE EARL OF CREWE: My Lords, I am afraid we cannot accept the Amendment of the noble Earl, for the very simple reason which I have already stated in reference to several of these Amendments, namely, that it destroys the intended character of the school. What we propose is that there must be in schools not affected by a permission given under the section public school accommodation for the other children attending the school. We desire these schools to retain their special character, and we do not think it is a desirable arrangement that the children should merely be removed elsewhere for religious instruction. I am afraid, therefore, that we cannot accept the Amendment.

Amendment, by leave, withdrawn.

VISCOUNT LLANDAFF said he felt very great difficulty in dealing with the Amendment which stood in his name on the Paper. If it were adopted it would cover the case of the ballot, and he understood that the whole subject of the ballot was reserved to some future time, when their Lordships would know the intentions of His Majesty's Government with regard to any modifications they thought fit to propose in the scheme of the ballot as it now stood. Therefore he supposed he must alter his Amendment to the extent of leaving out everything to the word "that" in line 32. That would leave the words relating to the ballot untouched, reserving that question for a future occasion.

LORD FITZMAURICE, on a point of order, inquired whether they had not already passed that part of the section. They had passed sub-section (*b*), to which the noble Lord the Earl of Jersey had moved an Amendment. He supposed that any Amendment to that sub-section would now be too late.

THE CHAIRMAN OF COMMITTEES: The Amendment of the noble Viscount arises under that sub-section (*b*).

VISCOUNT LLANDAFF: It begins in line 30 from the word "that."

THE CHAIRMAN OF COMMITTEES: That we have passed, but there is a part of the noble Viscount's Amendment which has not been dealt with, that is that the time allotted to such religious instruction shall not be less than thirty clear minutes, or whatever time is proposed, on each day the school is open. If the noble Viscount confines himself to that he will be in order.

VISCOUNT LLANDAFF submitted that it would be in order to omit everything that followed the Amendment just adopted, providing that "a majority" was to be put in in place of the "parents of at least four-fifths of the children attending the school." The clause as amended ran—

"The parents of a majority of the children attending the school desire those facilities."

His Amendment was to omit everything after the word "facilities" down to the end of the section. He did not think it was necessary to ask for the insertion of the words "the owners of the schoolhouse." They deserved recognition, because they denoted the character of the school more than anything else. Their Lordships had heard of many schools founded by one denomination and attended perhaps by a majority of another denomination. It seemed to him that the owners of the schoolhouse, the people who founded and built it, indicated its character, denominational or otherwise, more than any other person they could select. It was a pity that the Amendment already carried did not include owners of the schoolhouse as well as the parents of a majority of the children attending the school. He did not move the insertion of the words "owners of the schoolhouse," but he did move to omit everything that followed the word "facilities" down to "in respect of the child," and to substitute the words—

"The time allotted to such religious instruction shall not be less than thirty clear minutes on each day the school is open."

Upon that point it struck him that the plan suggested in the Bill, namely, that the deciding point should be whether there was alternative accommodation in other schools, was not the best plan to adopt. He had other Amendments on the Paper by which he met more fully the grievance of the minority in the school applying for these facilities. He proposed that those children who were in a minority and disliked the facilities should be entitled to receive such religious instruction as they liked in the schoolhouse, if the dimensions of the schoolhouse made that practicable, but if they did not, then arrangements were to be made for them elsewhere by the owners of the schoolhouse, the local authority, and all the parties concerned. If the children were sufficient in number, they should be entitled to call upon the local authority to supply them with a school for themselves. That would relieve them of the grievance of finding themselves in a school where facilities were granted.

Amendment moved—

"In page 3, line 34, to leave out the words after the word 'facilities' to the end of line 42, and to insert the words, 'the time allotted to such religious instruction shall be not less than thirty clear minutes on each day the school is open.'"—(*The Viscount Llandaff.*)

Lord STANLEY of ALDERLEY thought that the Amendment could hardly be acceptable even to noble Lords opposite. Their Lordships had voted that special facilities should be given anywhere in town or country, and that those facilities should be given if a bare majority of the children attending the school desired them. What was the position? In a village where the only school was, say, a Church of England school, if out of seventy children attending there were thirty-six who labelled themselves as Churchmen and thirty-four as Dissenters, then those thirty-six were to have the whole of the school all the week for their own definite religious teaching, and the other scholars were to be found a classroom in the parish room which did not generally belong to Dissenters but to the Church. The local authority were to keep the schoolhouse in repair, and the bare minority in the school was to be turned out to get what they could. That was the effect of this Amendment. He considered the proposal too grotesque.

Viscount HALIFAX said the noble Lord had totally misrepresented the object of the Amendment. It was to give facilities to minorities in Church of England schools or Roman Catholic schools in the schoolhouse, and to give them the same facilities as he claimed for himself in the schoolhouse, Nothing could be more just or more liberal.

Lord STANLEY of ALDERLEY: I am not concerned with the object of the Amendment, but with its effect.

Viscount HALIFAX: I venture to say that is the effect.

***The Earl of CREWE**: I need hardly inform the Committee that His Majesty's Government cannot possibly accept this Amendment. The principle on which we have acted, as the noble Viscount correctly stated, is that there must be alternative accommodation in other schools not affected by a permission given under this section, that is to say, in another school without a Church atmosphere. To that principle we undoubtedly adhere. I do not want to argue on this occasion the whole question of facilities and right of entry in these schools, because that would be more appropriately done on the Amendment of the noble Lord, Lord Cadogan, which is on the Paper, and which I understand from what fell from the, noble Lord the Marquess of Lansdowne, may be regarded as the official Amendment of the Opposition on this subject. When that is moved I will deal with it. It is perfectly true that the plan which the noble Viscount on the cross benches has put down in a number of special Amendments is a perfectly possible plan, but it is entirely different from and utterly destructive of the plan of His Majesty's Government, and I can only say we do not see our way to accept it, because it would mean the entire remodelling of this part of the Bill.

The Marquess of SALISBURY said their Lordships on that side of the House had, of course, great sympathy with the Motion of his noble friend the Viscount Llandaff, but for a reason which he was going to state they were rather inclined to think that his Amendment did not raise the point in the form in which they would prefer it to be raised if they prevailed with their Lordships to take that view. The reason was that they were so far in agreement with His Majesty's Government that, *prima facie*, they thought the minority in the atmosphere schools ought to be accommodated in another school suitable for them. For that purpose it would be necessary for them to retain the first two lines of paragraph (*b*). But when they were faced with the question "What is to happen supposing there is no other school accommodation?" they would venture respectfully to invite their Lordships to consider whether, subject to very careful provisions as to the rights of the minority, which it would not be convenient to discuss on this Amendment, they might not permit the atmosphere school to exist, even when there was no other school or another building in which the dissident children might be accommodated.

Inasmuch as they thought that so far as the first two lines of paragraph (*b*) were suitable and appropriate to that purpose, they could hardly agree with his noble friend Viscount Llandaff in his wish to cut them out. As regarded the latter part of paragraph (*b*) the noble Lord Earl Cawdor had an Amendment, not, perhaps, of an important character, although it did change vitally the character of the paragraph. If the paragraph so amended should meet with the favour of the Committee then, as the Earl of Crewe had said, the question as to the alternative accommodation within the same building, under strict restrictions as to the rights of the minority, would be probably more conveniently discussed on the Amendment of the noble Lord Earl Cadogan.

VISCOUNT LLANDAFF pointed out that if there was alternative accommodation in other schools not affected by the special permission given under the section, then of course the children could go there and there would be no grievance. But the question they were dealing with was the case of the single school area, and the words the Marquess of Salisbury was willing to retain would shut out the special facilities in each single school area. There not being another public school accommodating the minority the facilities could not be granted. His suggestion was that this was a very harsh, cruel, and unwise way of dealing with the difficulty. He felt that difficulty, and was anxious that the minority should have ample protection and facilities given to them for their conscience' sake; but the right way to deal with it was not to turn the denominational school into an undenominational school (which would be the effect of passing the first two lines of paragraph (*b*)), not to twist round the compass and make the wind which was blowing north blow south, but to deal with the minority in the most liberal way they could by giving them facilities for religious instruction of their own sort in the only school in the area, or in a preacher's house, or a church, or some other place. It should be left to the local authority to settle what place they should find for allowing the children to receive religious instruction; if they were in a sufficient number he certainly proposed that a school should be built for them. The noble Marquess had overlooked the fact that by keeping in the first words of paragraph (*b*) they would kill all the denominational schools in the single school areas. If there was no accommodation in the area for the children of the minority the facilities were gone, because that was made a condition of granting the facilities.

THE MARQUESS OF SALISBURY said that if the noble Viscount would look at the Amendment in the name of the noble Lord Earl Cadogan he would see that the point was covered.

VISCOUNT LLANDAFF confessed that he had not yet mastered that Amendment. The clause as it stood made the existence of some other school in which accommodation could be found a necessary condition of granting facilities. If they left those words in, all denominational schools in the single school areas were gone.

THE MARQUESS OF SALISBURY said it was rather irregular to read an Amendment lower on the Paper, and if noble Lords opposite took objection he would not do so. He would indicate, however, to his noble friend Viscount Llandaff, with whom in substance they agreed, that if he would look at page 3 of the Amendment Paper he would see that under the words to be proposed by his noble friend Earl Cadogan they were substantially providing for the point to which their attention was called, although they were doing it in a different way.

VISCOUNT LLANDAFF said he must adhere to what he had already said. The Amendment of Earl Cadogan, which would come under discussion presently, did provide for the case of the minority children who would not get the instruction they wanted, but it did not do away with the effect of leaving in the words in paragraph (*b*), by which it was made a condition of obtaining extended facilities that there should be other public elementary school accommodation in the area. Consequently into single school districts they would not get that accommodation,and their right to the facilities would be gone.

VISCOUNT HALIFAX wished to support the view of the noble Viscount. The words in question affected the school in every single school area.

THE MARQUESS OF LONDONDERRY agreed with what had fallen from the Marquess of Salisbury. If the noble Viscount would read the Amendment of Earl Cadogan, he would see that the objection he raised was entirely dealt with by the fact that the accommodation for such other children in other schools would be dispensed with. He hoped the noble Viscount would not go to a division, but would allow the question to be discussed on the later Amendment.

THE CHAIRMAN OF COMMITTEES: The Amendment so far as sub-section (*a*) is concerned has already been dealt with, and therefore it will be enough to leave out from sub-section (*b*) down to the word "child" in line 42.

THE MARQUESS OF SALISBURY appealed to the noble Viscount to preserve the Amendment which stood in the name of Earl Cawdor, which came in at the end of line 36. He suggested that the question should be that the words down to the end of line 36 stand part.

EARL CADOGAN: Do I understand that my noble friend (Viscount Llandaff) objects to the Amendment of my noble friend Earl Cawdor or to mine?

VISCOUNT LLANDAFF said he had not mastered the effect of either of the Amendments referred to. He only looked at the clause as it now appeared, and found that as it stood the passing of the first words of sub-section (*b*) would prove fatal. The Amendment of Earl Cawdor would leave in the first two lines of the sub-section, and that was what he objected to.

THE CHAIRMAN OF COMMITTEES said that probably it would meet the views of the noble Viscount if he put the question that the lines 35 and 36 stand part of the clause.

On Question, Amendment negatived.

EARL CAWDOR moved the omission of the words "the other children attending the school" and the proviso that a child shall not be reckoned among the number of children for whom accommodation is required if the parent shows that he does not require the accommodation and has not voted. He said the proposal of the Government was not wisely drawn. It was that this accommodation should be provided for those children attending the school other than those whose parents had asked for extended facilities. That assumed that all children whose parents had not voted for facilities, or whose parents desired other facilities, or whose parents objected to any denominational teaching whatever, were to be swept into one net, and without further inquiry were to be considered as "other children." Was it not rather straining a point? He was not going back on anything that had been said as to the ballot arrangement, but all that was known first of all was that some parents had not voted at all. Why were they to assume that they wanted different accommodation from that provided in the schools? They had no means of ascertaining, and yet they were being swept by this clause straight into the net of those for whom extra accommodation had to be found. Then, secondly, there were some who had voted against the particular facilities asked for in this clause; they might object to those facilities, but what was there to show in any shape or form that they did not want anything else? What was wanted to be known was exactly what the parents required. The wishes of those who had not voted at all were absolutely unknown, as well as the wishes of those who had voted against the particular facilities. What was required was to find out what these parents really did want, and not to assume for a moment that they wanted something of which there was no proof that such was their desire. Some might be perfectly satisfied with what was going on in the school but had expressed no opinion; others would have voted against the particular facility that was to be given; others, again, might require something more definite. It seemed to him it only required some slight change in the clause in order to get at what he believed all desired to ascertain, viz., the wishes of the parents. The words in the clause as proposed by the Government did not make that provision. He did not claim for his Amendment that it would cover every child; he was only putting it forward as a tentative proposal—

Amendment moved—

"In page 3, to leave out lines 37 to 42 inclusive, and insert 'any child whose parent declares his desire for some other form of religious instruction than that for which the facilities are afforded.'"—(*Earl Cawdor.*)

*THE EARL OF CREWE: The noble Earl has stated with great clearness the effect of his Amendment and the words as they stand in the Bill, and I think it must be clear to the Committee at large that here again we are confronted with the fundamental difference in the point of view that separates us from noble Lords opposite. Noble Lords opposite, and the noble Earl among them, assume that the normal school is the denominational school, and, therefore, holding that view, they would throw upon anybody who does not want that particular type of school the onus of coming forward and specifically objecting to it. That is not the principle on which we work. From our point of view these four-fifths schools are an exception to the Bill. They are not put in by any desire of ours except to meet the obvious necessities of the case. We quite see that these schools are in certain cases demanded, but we do not regard the school with the denominational atmosphere as the normal type, in order to depart from which explicit objection must be made by a certain number of parents. We consider it as an abnormal type which can only be brought into being by the explicit declaration of a large number of parents. So long as we look on the matter from that point of view it is, of course, impossible for us to meet the noble Earl. He very properly, from his point of view, said, "The schools had been denominational in the past. We want to preserve the *status quo*, and anybody who objects to that ought to come forward and say so." We do not admit these schools as representing the *status quo*. In the first place we do not admit at all on this side of the House that the Act of 1902 can be regarded as the basis of the *status quo*. There is no evidence whatever that that measure has ever received the assent of the country. It was never presented in any form to the country before the general election of 1900 and we do not consider it has any moral validity. That is an additional reason why we are not prepared to start from the point of view of noble Lords opposite that these schools must by hook or by crook be kept going in the manner they have been kept going for many years past. We say we are, by this Bill, instituting a national system of schools with exceptions, and those schools that want to join the rank of the exceptions must come forward and state explicitly that they want to do so. We are unable to take anything for granted in the matter.

EARL CAWDOR said the noble Earl did not seem to have realised in the slightest degree the point he endeavoured to raise. The point he was raising was not the main issue from which they started. He was starting on this clause, and not the great broad principle on which he was opposing the noble Earl. He thought they were starting on much the same basis, namely, that these were to be atmosphere denominational schools. One of the noble Earl's colleagues had stated that those schools in which the conditions were carried out were to go on as before as atmosphere denominational schools. Did the noble Earl start on any different basis from that?

*THE EARL OF CREWE: As I understand it this Amendment does not deal with what the school is going to do when started, but with the method of starting it.

EARL CAWDOR: I was assuming for a moment you had started the school and you were considering one of the details.

*THE EARL OF CREWE: I should have thought those details must be considered before starting the school.

EARL CAWDOR said the noble Earl was no doubt correct, but they had got to the point that there was no point of difference in this clause.

*THE EARL OF CREWE: As to the manner in which they are to be carried on I do not know that there is, but as to the manner in which they are to be started there is a great deal.

EARL CAWDOR said they were going first of all to start with a majority of the parents to ask for these facilities. Besides that it was necessary to show that all the children of the parents who did not come in under the conditions governing the majority would be provided for elsewhere. What he was pressing on the noble Earl was that he had rolled into one all the children outside the majority, and assumed that he knew exactly what they wanted, although there was no ground for the assumption. Why should they not find out what the different parents other than those who were asking for the facilities wanted?

*THE EARL OF CREWE: I am afraid I must have failed to make myself clear. The point we start at is this; that without any reference to the opinion of those parents of whom the noble Earl has just been speaking we say it is a precedent condition of these schools being started at all that the parents of the majority of the children must come forward and definitely say that they want them. It was on that that I entered into what I am afraid the noble Earl considers an abstract argument as to our question of principle. If I take the noble Earl's point of view that the supposition is that, other things being equal, these schools ought to go on, there would be much in what he says, but we do not take that view. What we say is that the parents of the majority of the children must say definitely they desire this particular teaching. I quite understand the point of difference, and I hope my point is now clear to the noble Earl.

On Question, whether the words proposed to be left out shall stand part of the clause, their Lordships divided:—Contents, 42; Not-Contents, 152.

CONTENTS.

Crewe, E. (*L. President.*)

Ripon, M. (*L. Privy Seal.*)

Beauchamp, E.
Carrington, E.
Chesterfield, E.
Portsmouth, E.

Althorp, V. (*L. Chamberlain.*)
Selby, V.

Chichester, L. Bp.

Hereford, L. Bp.
Ripon, L. Bp.

Brassey, L.
Burghclere, L.
Colebrooke, L.
Coleridge, L.
Courtney of Penwith, L.
Denman, L. [*Teller.*]
Digby, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Eversley, L.

Fitzmaurice, L.
Glantawe, L.
Grimthorpe, L.
Hamilton of Dalzell, L.
Haversham, L.
Headley, L.
Hemphill, L.
Joicey, L.
Mendip, L. (*V. Clifden.*)
Monkswell, L.
O'Hagan, L.
Overtoun, L.
Pirrie, L.

Earl Cawdor.

Reay, L.
Ribblesdale, L. [*Teller.*]
Sandhurst, L.
Sefton, L. (*E. Sefton.*)
Stanley of Alderley, L.
Tweedmouth, L.
Wandsworth, L.
Weardale, L.
Welby, L.

NOT-CONTENTS.

Canterbury, L. Apb.

Norfolk, D. (*E. Marshal.*)
Devonshire, D.
Grafton, D.
Leeds, D.
Newcastle, D.
Wellington, D.

Ailesbury, M.
Bute, M.
Exeter, M.
Hertford, M.
Lansdowne, M.
Salisbury, M.

Abingdon, E.
Ashburnham, E.
Cadogan, E.
Camperdown, E.
Carnwath, E.
Cathcart, E.
Cawdor, E.
Clarendon, E.
Dartmouth, E.
Darnley, E.
Dartrey, E.
Denbigh, E.
Derby, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*
Eldon, E.
Feversham, E.
Gainsborough, E.
Guilford, E.
Halsbury, E.
Harewood, E.
Huntingdon, E.
Ilchester, E.
Jersey, E.
Kilmorey, E.
Lathom, E.
Lindsey, E.
Londesborough, E.
Lonsdale, E.
Malmesbury, E.
Mar and Kellie, E.
Nelson, E.
Northbrook, E.
Northesk, E.
Onslow, E.
Pembroke and Montgomery, E.
Plymouth, E.
Radnor, E.
Saint Germans, E.
Shaftesbury, E.
Stamford, E.
Vane, E. (*M.Londonderry,*)
Waldegrave, E. [*Teller.*]
Westmeath, E.
Westmorland, E.
Yarborough, E.

Churchill, V. [*Teller.*]
Cross, V.
Falkland.
Halifax, V.
Hill, V.
Iveagh, V.
Llandaff, V.
Ridley, V.

Bangor, L. Bp.
Bath and Wells, L. Bp.
Birmingham, L. Bp.
Bristol, L. Bp.
Chester, L. Bp.
Lincoln, L. Bp.
London, L. Bp.
Oxford, L. Bp.
Peterborough, L. Bp.
St. Asaph, L. Bp.
St. David's, L. Bp.
Salisbury, L. Bp.
Southwark, L. Bp.
Wakefield, L. Bp.
Winchester, L. Bp.

Abinger, L.
Alington, L.
Ampthill, L.
Armstrong, L.
Ashbourne, L.
Atkinson, L.
Balfour, L.
Barrymore, L.
Belhaven and Stenton, L.
Belper, L.
Blythswood, L.
Bolton, L.
Borthwick, L.
Boyle, L. (*E.Cork and Orrery*)
Braye, L.
Burton, L.
Carysfort, L. (*E. Carysfort.*)
Chaworth, L. (*E. Meath.*)
Clements, L. (*E. Leitrim.*)
Clifford of Chudleigh, L.
Clonbrock, L.
Colchester, L.
De Freyne, L.
Deramore, L.
Douglas, L. (*E. Home.*)
Dunalley, L.
Ellenborough, L.
Estcourt, L.
Fairlie, L. (*E. Glasgow.*)
Fermanagh, L. (*E. Erne.*)
Fingall, L. (*E. Fingall.*)
Forester, L.
Gage, L. (*V. Gage.*)
Gormanston, L. (*V. Gormanston.*)
Harris, L.
Hastings, L.
Hothfield, L.
Howard of Glossop, L.
Kenry, L. (*E. Dunraven.*)
Kenmare, L. (*E. Dunraven and Mount-Earl.*)
Kilmarnock, L. (*E. Erroll.*)
Knaresborough, L.
Lawrence, L.
Leigh, L.
Leith of Fyvie, L.
Masham, L.
Meldrum, L. (*M. Huntly.*)
Monckton, L. (*V. Galway.*)
Monk Bretton, L.
Mostyn, L.
Mowbray, L.
Napier, L.
North, L.
Oranmore and Browne, L.
Ormathwaite, L.
Penrhyn, L.
Ponsonby, L. (*E. Bessborough.*
Robertson, L.
Sanderson, L.
Sandys, L.
Seaton, L.
Sherborne, L.
Shute, L. (*V. Barrington.*)
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*
Stalbridge, L.
Stanmore, L.
Teynham L.
Wenlock, L.
Wolverton, L.
Zouche of Haryngworth, L.

Proposed words inserted.

*THE LORD BISHOP OF HEREFORD moved to insert after the words last agreed to, the words—

> "And that extended facilities shall not be given unless, in the opinion of the Board of Education, the number of children in the neighbourhood is sufficient to maintain two efficient schools without unnecessary expenditure of public money."

He said that, seeing that this clause related to rural as well as urban schools, and that many of those rural schools were, to begin with, small, there was really a considerable risk of wasting the taxpayers' money. As their Lordships had already amended the clause there might be a demand in the case of one of these ordinary facilities schools for the atmosphere of an extended facilities school, and if there happened to be a neighbouring school which could take in the remainder of the children, this new extended facilities school might be so small that it could hardly, in any real sense, be kept efficient. Consequently, they would be laying upon the taxpayers and ratepayers a burden which would be altogether unnecessary. That being the case, he ventured to think some such provision should be inserted in the Bill.

LORD BALFOUR OF BURLEIGH (who was now in the Chair) pointed out that the proviso to which it was proposed to add words by the Amendment would not read in the form the right rev. Prelate proposed, owing to the decision of the Committee on the former Amendment.

*THE LORD BISHOP OF HEREFORD said he would alter his Amendment so that it would read "provided that extended facilities shall not be given unless," etc. He ventured to think it was a necessary safeguard against an undue multiplication of the very exceptional schools, and it was a safeguard all the more necessary because their Lordships had changed the four-fifths into a bare majority, the result of which would be that a bare majority in any of the rural schools might come forward and say they desired extended facilities schools, and the minority of the children could be accommodated in the school of the next parish perhaps a mile and a half away. He thought that would involve some hardship on the minority children, and prove a still greater hardship on the ratepayers, besides having the effect of setting up an indefinite number of little schools in which the children would have to be content with an inferior education. For all these reasons he did trust something might be done in the direction of this Amendment.

Amendment moved—

"In page 3, after the words last inserted, to insert the words, 'Provided that extended facilities shall not be given unless, in the opinion of the Board of Education, the number of children in the neighbourhood is sufficient to maintain two efficient schools without unnecessary expenditure of public money.' "—(*The Lord Bishop of Hereford.*)

*THE EARL OF CREWE: There is no doubt that if this Amendment were carried it would limit to a very great extent the operation of the clause as it now stands. A very considerable number of schools which under the clause as amended by your Lordships would be able to obtain the advantage of this provision would then be prevented from doing so. Consequently, if the right rev. Prelate were to press this clause, I should certainly be disposed to support him, because I should support any Amendment of any kind whatever which limited the clause in the way it now stands, but I am bound to tell the right rev. Prelate, quite apart from the fact that his Amendment would have no conceivable opportunity of being carried, that it would not be easy to work in the form in which it is placed on the Paper, and there are certain objections to it, which I need not trouble your Lordships about. Under these circumstances, I would be disposed to advise the right rev. Prelate not to press his Amendment.

Amendment, by leave, withdrawn.

*EARL CADOGAN moved to add the following words—

"But if the applicants show to the satisfaction of the Board of Education that suitable arrangements can be made in the school for enabling children whose parents declare their desire for some other form of religious instruction than that for which the extended facilities are afforded to receive such other instruction, or failing that, instruction in accordance with Section 14 of the Elementary Education Act, 1870, the condition in paragraph (*b*) of this section with respect to the existence of accommodation for such children in other schools shall be dispensed with, provided that—(1) if there are not less than twenty children whose parents declare their desire for such other religious instruction the Board of Education may, if they think fit, require that sufficient teachers shall be provided on the staff of the school qualified to teach the religious instruction contemplated in the arrangements; (2) the local education authority, in exercising their control over the school and their powers with respect to the appointment and dismissal of teachers, shall permit such arrangements and enable such requirements to be carried out."

He said that during a previous discussion Lord Zouche had asked what were the various classes of facilities for transferred voluntary schools, and he must say that, having listened to the debate during the last few days, he thought it was somewhat difficult to ascertain exactly what these facilities were and how far they would be restricted by paragraph (b). Undoubtedly the restrictions proposed by His Majesty's Government formed a new class of facilities which might be labelled as restricted facilities. He imagined that the object the Government had in view was the protection of minorities, and, as the Lord President of the Council once in the course of the discussion said, the protection of majorities. Inasmuch as the largest portion of these transferred schools were schools to which the Bill proposed to give facilities, it might be said to be a protection for majorities; but the Bill had also been designed for the protection of minorities. Were the facilities which were inserted in the sub-clause, or indeed in the Bill itself, real facilities or were they not? By sub-section (b) of Clause 4 the child of every parent dissenting from facilities must be provided for in some other school in the neighbourhood, and no Clause 4 schools could be established unless the child of every parent who had not petitioned for the establishment of such school could conveniently attend any school in the neighbourhood. The Bishop of London had alluded to this point, and shown that if the parent of one child refused, or did not desire, to have these facilities, it would be impossible to have any Clause 4 school. But Clause 4 schools were the schools for which this Bill was designed. If this obnoxious proviso were deleted he proposed, by his Amendment, to provide means so as to save the rights of Nonconformists and other minorities. He proposed that proper arrangements should be made in the Clause 4 school itself to afford adequate opportunities for giving the children of Nonconformists the religious teaching they desired. What he wanted to do was, if possible, to remove the simple objection of there not being alternative accommodation for the children of parents who were not anxious to have facilities. He wanted to provide accommodation for them in the school itself. He proposed that that should be done in two ways. In the first place, if there were not less than twenty children whose parents declared their desire for such other religious instruction the Board of Education might, if they thought fit, require that sufficient teachers should be provided on the staff of the school qualified to teach the religious instruction contemplated in the arrangements. It had often been said in these discussions by the most rev. Primate and many others that all they asked for was justice. They did not ask for anything for the Church which they were not willing should be granted to other denominations. They simply desired that justice should be done to all. He believed that some provision of this sort was required if justice was to be done, and he hoped His Majesty's Government would agree that it was necessary to provide in some manner for those minorities other than that of merely obtaining alternative accommodation. He trusted the Committee would look carefully into this matter, because he believed it would provide a certain amount of justice in dealing with this Bill. The Amendment also showed a spirit of compromise and did not conflict with the principles of the Bill as the Lord President on several occasions had complained that other Amendments did. This Amendment embodied a concession to those on the opposite side of the House, who, like himself, were willing and anxious that whatever form the Bill took it should as far as possible be conciliatory and productive of a lasting settlement, and be one which every class and every sect in the country would, at all events, look upon with generous approval.

Amendment proposed—

"In page 3, after the words last agreed to, to insert 'But if the applicants show to the satisfaction of the Board of Education that suitable arrangements can be made in the school for enabling children whose parents declare their desire for some other form of religious instruction than that for which the extended facilities are afforded to receive such other instruction, or failing that, instruction in accordance with Section14 of the Elementary Education Act, 1870, the condition in paragraph (*b*) of this section with respect to the existence of accommodation for such children in other schools shall be dispensed with: Provided that—(1) if there are not less than twenty children whose parents declare their desire for such other religious instruction the Board of Education may, if they think fit, require that sufficient teachers shall be provided on the staff of the school qualified to teach the religious instruction contemplated in the arrangements; (2) the local education authority in exercising their control over the school and their powers with respect to the appointment and dismissal of teachers shall permit such arrangements and enable such requirements to be carried out." — (*Earl Cadogan.*)

*THE EARL OF CREWE: I am quite certain that the concluding words of the noble Earl who has just sat down convey very clearly everything that was in his mind when he put down his Amendment. We must all believe that this is a perfectly honest and ingenious attempt to meet a difficulty created not by the provisions of the Bill which the Government have introduced, but by the Amendments carried by noble Lords opposite. But my noble friend's Amendment is an old friend. It is our old friend "inside facilities all round" re-introduced in a somewhat different form. The proposition, as I understand it, is that, if the majority who apply for the four-fifths facilities show that they can make arrangements for inside facilities for the minority, instead of providing for that minority elsewhere in other schools the minority should be taken in and looked after inside the school itself with, if necessary, special teachers provided for them. That is our old friend the provision of facilities all round introduced in another form, and the question I wish to ask in reference to it is, what is there in the fact of having a majority of one kind of denomination and of having gone through certain processes to have the school put in a particular class, which makes it specially appropriate for the inception of these inside facilities? Why, if offered to schools of this kind, should they not be offered to all schools?

THE MARQUESS OF SALISBURY: But these are "atmosphere" schools.

*THE EARL OF CREWE: Apparently they are going to lose the atmosphere by the Motion that has been made by the noble Earl. How it can be argued that they can remain atmosphere schools in the same sense as they are now, I am unable to understand. How it can be supposed that these conditions are equally applied under the noble Earl's Amendment, I am quite at a loss to conceive. Take the case of an ordinary village school. There, for some reason or other, it will be necessary to go through the process of dividing the children, and perhaps out of 100 children fifty-one will belong to the Church of England. That having been done, my noble friend proceeds to see that careful provision is made, perhaps for one, two, or three different kinds of religious teaching for the minority of forty-nine children. Why is that more necessary than if, in the same school of 100, there were three denominations nearly equal, say, numbering thirty-three, thirty-three, and thirty-four? Why should the same conditions not obtain under those circumstances? What is there in this minority or even in a four-fifths arrangement that distinguishes these from all other schools? That is the point I have found difficulty in dealing with, and possibly some later speaker may throw some light upon the subject. I do not see any interdependence between the two things, all round facilities on the one hand, and the fact of a certain religion being predominant on the other. It is perfectly certain that the change effected in the Bill by making the majority the necessary figure for the provision of these schools might have a strange effect on the provisions of our Bill as it was introduced, but that, of course, was not our fault. I confess, therefore, that I do not see why the particular provision is brought in for these schools any more than for schools receiving ordinary facilities or for any other schools. It is quite possible that some subsequent speaker may enlighten us on that point. This proposal is a complete departure from our plan. Our plan was undoubtedly to leave a certain limited number of schools which should be very markedly and distinctly denominational. The noble Lord's Amendment is a reversion to the idea that it is possible within the one building to provide for all the different denominations. I am bound to point out what the general situation is as regards these schools. Voluntary schools which contain the majority of children of one set of opinion will, if the noble Lord's Amendment is accepted, obtain all the privileges which we gave to the four-fifths schools, and it practically is to pass as far as I can understand out of the hands of the local authority altogether. Under these circumstances why should we go to the trouble to deal with these schools? Why any local authority should undertake to execute the repairs in those schools is more than I can conceive. The schools will be in a stronger position from a denominational point of view than they are at this moment, and why, under those circumstances, it is necessary to depart from the existing state of things by giving pretended local control over them, and by paying for all the repairs of the schools is more than I can conceive. Schools of this kind have been absolutely taken out of the Bill by the Amendments of noble Lords opposite, and they are to enjoy all their present advantages in addition to certain advantages which we propose to allow them in our Bill.

The Marquess of SALISBURY said that the reason why the Lord President of the Council did not understand the bearing of this Amendment was that he and his colleagues had never really appreciated what was meant by parents' rights. Those rights they were now urging, not only on behalf of the majority, but with equal force on behalf of the minority, The particular schools contemplated by Clause 4, with regard to which he had used the rather indefinite term "atmosphere schools," would, although the noble Earl did not seem to think so, differ in kind from all other schools, and that would have been so either under the Government proposals or under the Bill as it stood after their Lordships had amended it. They would differ because they would have this religious atmosphere, and that was portrayed in the Government proposals, because in those schools, and in those schools alone, they permitted the teachers to give religious instruction. He did not need to go into the question whether that provision was adequate or not, but it established the fact that in the opinion of the Government they differed and differed in kind from all other schools. That was done because the parents of the majority wished it. The Government only adopted that with great reluctance in the first instance, and they had never carried it out to its logical conclusion. They did not see that because they had provided these very special rights for the majority of the parents in Clause 4 schools, consequently they were bound in all those schools also to provide for the rights of the minority. Lord Cadogan had appreciated that omission on the part of His Majesty's Government and had proposed that in the case of the minority, equally with the majority, the parents' rights should be secured. He was very glad the noble Earl proposed this Amendment, which he (the Marquess of Salisbury) urged upon their Lordships' attention with all the earnestness in his power. They did not desire in any degree to oppress minorities. They were as anxious to secure the rights of Nonconformists as the rights of the members of the Church of England or of any other denomination. How did Lord Cadogan propose to protect and safeguard the rights of the minority? He said in the first instance that under very strict conditions these Clause 4 schools might be admitted even if there was not another building, provided they could give adequate protection to the minority in the same building.

*The Earl of CREWE: I am unwilling to interrupt the noble Marquess, but if he will look at the noble Earl's Amendment, he will see that, if possible, the instruction is to be given inside the building and not outside. Therefore, the proposal is, if possible, that it is to be provided inside the schools.

The Marquess of SALISBURY said that the Amendment provided that if suitable arrangements could be made in the school it was not necessary to show that there was another school. The Government proposed that these extended facilities should not take place at all unless there was room for all the minority children in other schools. Now they were proposing that these extended facilities should be given where the majority desired them, even if there was no other school accommodation to which the minority children could be sent, provided the rigid conditions of his noble friend's Amendment were complied with.

*THE EARL OF CREWE: I do not think the noble Marquess has appreciated my point. My point was, as I read the Amendment, that the accommodation must be given in the school if possible, and if there is not room in the school it will have to be given outside.

THE MARQUESS OF SALISBURY said that was not the intention of his noble friend, because *prima facie* the accommodation was to be given outside in another school.

*THE EARL OF CREWE: If the noble Marquess reads the clause in the light of this Amendment he will see my point.

THE MARQUESS OF SALISBURY said that as he understood the case, if there was a single child, or however small the minority, some arrangement must be made for the protection of its rights of conscience. It did not say a substantial minority but a minority however small, and unless an arrangement were made to the satisfaction of the Board of Education, they did not ask for extended facilities. They went further in the case of a substantial minority, because then they were perfectly willing to see that proper teachers were provided for those children however denominational the school might be. He thought their Lordships would admit that in his noble friend's Amendment they had gone as far as they could to protect the rights of the minority, and if the noble Earl opposite or any other noble Lord could propose some better way of protecting the rights of the minority, provided it did not interfere with the rights of the majority, they would be willing to consider it. They were most anxious to study the rights of the minority, and this Amendment was drawn entirely with that object.

LORD WENLOCK said he felt rather alarmed at the enormous amount of work which would be thrown upon the local education authority by this Amendment. A very large duty would be cast upon them if they had to provide all these facilities in the schools. If his interpretation of the proposal was correct, there might be 51 per cent. of children belonging to one denomination in one school, and they would get their teachers all right, but the other forty-nine would get such teachers as the local authority would be called upon to provide. He was apprehensive that under this proposal a very large amount of money would be called for from the local ratepayers, because a very large staff of teachers would be required to give the religious instruction to the children of the minority as provided in this Amendment. He merely wished to know if his view was correct.

*THE LORD ARCHBISHOP OF CANTERBURY: I would suggest that that part of my noble friend's Amendment which deals with the teachers should be postponed. At the request of the President of the Council we have already postponed matters kindred to this until we come to Clause 8. I would suggest that we should stop at the words "shall be dispensed with," and consider the other questions when we arrive at Clause 8; otherwise we shall be anticipating discussions under that clause.

*LORD CADOGAN said he agreed with the suggestion which had been made by the most rev. Primate. It had already occurred to him that it might have been better dealt with under Clause 8, and he was quite willing to postpone the last two paragraphs until Clause 8 was reached.

LORD FITZMAURICE said it might be convenient as a matter of order and discussion to separate these two proposals as had been suggested by the most rev. Primate, but it was really impossible for the Government to consider the proposal up to the words "shall be dispensed with," without considering also what was proposed afterwards, because some machinery, he took it, would have to be proposed in order to carry out the proposition of the noble Lord. He could not help thinking that the proposition which had been made showed that noble Lords opposite were becoming a little alarmed at their own handiwork ["No!"]. It appeared to him that they were now shrinking back

THE MARQUESS OF SALISBURY: The Amendment was drafted a long time ago.

LORD FITZMAURICE said noble Lords opposite were now coming forward at the eleventh hour to show their excessive zeal and desire to protect the interests of minorities. Might he ask the noble Marquess opposite why he did not exhibit the same excessive zeal in 1902? Why did he not discover in that year the same zeal buried somewhere within the recesses of his mind to protect Nonconformist minorities in the single school districts.

THE MARQUESS OF SALISBURY said that the noble Lord could not find a single word of his uttered at any time which was not sympathetic towards Nonconformists.

LORD FITZMAURICE said that sympathy would not butter any parsnips. He happened to be in the House of Commons during the discussions of 1902, and the noble Marquess opposite might have expressed a little barren sympathy here and there for the Nonconformists, but certainly there was no overt proposition of any kind made at that time by the noble Marquess or his friends in the direction of sympathy with Nonconformists, and every proposal made by the then Opposition pointing out the excessive injustice which would be done in single school areas in the country districts was met with opposition and frequently with mockery. The noble Marquess had given them a treatise to show the excessive zeal of himself and his friends to do justice to Nonconformist minorities in the country districts, and he had spoken with such extraordinary zeal that he almost expected him to say that he was not only a Unionist but also a Unitarian.

*LORD STANLEY OF ALDERLEY said this Amendment would introduce an absolutely new principle into the Bill, and also into the history of English elementary education. It meant that for the residue of a school where they did not like the stereotyped form the promoters could provide religious instruction, if they could show to the Board of Education "that suitable arrangements can be made in the school for enabling children whose parents declare their desire for some other form of religious instruction." There was no obligation on the local authority even to provide Cowper-Temple instruction. There was the right to provide it, and by the Amendment which had been put into the first clause it would be the duty of the local authority to enable someone to provide it, but not necessarily to give it themselves, and it might depend upon the zeal of volunteers whether that opportunity was taken advantage of. It was not even Cowper-Temple teaching, and if Methodists, Presbyterians, Jews, or Catholics, were to say, "We want these facilities for special teaching," they would be provided if the promoters of the school could show the Board of Education that they were prepared to provide them. He would not deal with the subsequent machinery, because it was prospective, but he wished to say that the State had never undertaken to provide any definite religious teaching for anybody; it had always contented itself with requiring an adequate system of secular instruction, leaving religious instruction to the locality. The State had paid no grants for religious instruction. Now it was proposed to introduce a new obligation both on the State and on the locality to provide religious instruction according to the demands of the people. He wished to correct what he thought was a very glaring misstatement in regard to the operation of this Bill with respect to Clause 4 schools. With the confidence which their majority gave them, noble Lords opposite had spoken as if their Amendments had already become part of the Bill. He wished to point out that at the present moment there was no obligation whatever upon the local authority to provide teachers of any particular type; in fact, as far as the Bill went, there was a prohibition, because there was a general clause in the Bill prohibiting the local authority from imposing tests upon teachers. Further than that, there was no obligation upon the local authority to allow the teachers to give this definite teaching. And lastly, as the Bill stood, there was no obligation whatever upon any teacher to give any religious instruction. The most rev. Primate appeared to think that the local authority was at liberty to enter into these obligations subject to a conscience clause, but as the Bill stood, all that was granted in Clause 4 schools was the right to use the school for five mornings in the week for religious teaching, and that was a right which they now held in common with the ordinary school. He wished to protest against this attempt to put a new duty upon the State and upon the local authority, and he hoped the Committee would divide against this proposal.

*THE EARL OF CREWE: I rise to make a suggestion. I do not know how late noble Lords opposite wish us to sit, but if there is a prospect of a considerable number of other speeches on this Amendment, to be followed as I imagine they would be by a division, I should like to know what the opinion of the majority of the Committee is with regard to adjourning the debate at this stage?

*THE MARQUESS OF HUNTLY appealed to Earl Cadogan to withdraw his Amendment. The principal objection was that it brought in the Board of Education as arbiter upon the religious question. Upon this point he agreed with Lord Stanley of Alderley. This was an entirely new question. They might, when they saw the Bill on the Report stage, consider it necessary to introduce some Amendment of this sort, but he did not think it necessary to deal with it in this part of the clause. As the noble Earl had already offered to withdraw two sub-sections, might he ask him to withdraw the other and bring it up again on Report? Those acquainted with local government would know that the clause would put upon the local authority a most onerous task, and they would be overridden in their jurisdiction in a most unnecessary way.

LORD STANMORE asked whether the objection urged against this Amendment on the ground of the expense it would throw upon the rates was not met by the clause which provided that any part of the expense incurred in religious teaching was not to fall upon the local authority.

THE LORD BISHOP OF SOUTHWARK said his own position did not quite accord either with that taken up by the noble Lord who moved the Amendment or with that taken up by the Government. Consequently, he felt the matter was one of some considerable importance with regard to the policy taken by the Committee, and perhaps it would be better it it had the advantage of a little more discussion. He was quite prepared to move the adjournment of the debate.

*LORD HARRIS said he desired to add a practical question, and it was, What provision did they propose to make in regard to the teachers? The first subsection of the Amendment declared that the Board of Education might, if they thought fit, require to be provided on the staff of the school sufficient teachers qualified to teach the religious instruction contemplated in the arrangements. If this clause were carried they would have to make provision for teachers of all denominations. This was a question which he put not so much to the Government, because they objected to the Amendment, as to his noble friends below him, because they were promoting the proposal. He thought they were entitled to some explanation as to what were the arrangements which county authorities, for instance, would have to make in regard to providing all these teachers. It seemed to him to be throwing a very unfair and unnecessary expense on the counties to require anything of the kind.

*THE MARQUESS OF LANSDOWNE: I rise to answer the question which has been put to me by the noble Lord. As I understand the Amendment, it would not necessarily involve any additional charge upon the rates. What is proposed is that in certain cases where the dissentient minority is of substantial proportions, the Board of Education may, if they think fit, arrange that the staff of the school shall be adjusted with reference to the different religious denominations represented in the school. That does not mean that more teachers would be appointed, but that the teaching staff of the school will be selected with some reference to the views which they will have to teach.

That is my answer to the question put by Lord Harris.

With regard to the continuance of the debate, it has been suggested by the right rev. Prelate that the House should resume, and as I understand that a considerable number of noble Lords are interested in this matter, I do not suggest that this discussion should continue now.

House resumed; to be again in Committee to-morrow.

House adjourned at Five minutes past Eleven o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS.

Tuesday, 6th November, 1906.

PRIVATE BILL BUSINESS.

GREAT NORTHERN RAILWAY (IRELAND) BILL [LORDS] (BY ORDER).

Order read for resuming Adjourned Debate on Question [9th July] "That the Bill to be now read a second time.

Question again proposed.

MR. MACVEAGH (Down, S.) said that when the Bill was before the House on a previous occasion, on account of the partisan manner in which the directors applied their patronage, and to the fact that they applied religious tests to appointments, the House affirmed the principle that the railway companies were the servants and not the masters of the public, and that the company were making improper use of the powers conferred upon them. He was glad to say, however, that the Board of Trade had effected a compromise by which the company had agreed that there should be no partisanship in the selection of employees and no religious tests, so that, while allowing the Bill to pass, it was with the hope that the directors of the company would in the future use the powers conferred upon them in such a manner that when the measure came back to the House again it would find the Nationalist Members not enemies to it, but friends.

Question put, and agreed to.

Bill read a second time, and committed.

PETITIONS.

SMALL LANDOWNERS (SCOTLAND) BILL.

Petition from Sutherland, in favour; to lie upon the Table.

STREET BETTING BILL [LORDS].

Petition from Bradford, in favour; to lie upon the Table.

RETURNS, REPORTS, ETC.

COLONIAL REPORTS (MISCELLANEOUS).

Copy presented, of Colonial Report No. 37 (Ceylon, Report on the Results of the Mineral Survey in 1904–5 by Professor W. R. Dunstan, M.A., LL.D., F.R.S., Director of the Imperial Institute); [by Command]; to lie upon the Table.

SHOP HOURS ACT, 1904.

Copy presented, of Order made by the Council of the Urban District of Leyton, and confirmed by the Secretary of State for the Home Department, fixing the Hours of Closing for Chemists' and Druggists' Shops within the Urban District [by Act]; to lie upon the Table.

POLLING DISTRICTS (COUNTY OF LANCASTER).

Copy presented, of Order made by the County Council of Lancaster re-dividing the Accrington Parliamentary Division into Polling Districts [by Act]; to lie upon the Table.

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

LUNACY.

Copy of Rules made by the Commissioners in Lunacy [by Act].

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

—

Irish Estates Refused by the Land Judges.

MR. GINNELL (Westmeath, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will give the names and counties of the ninety estates in the Court of the Land Judge for which the Estates Commissioners after inspection refused to make an offer, with the reason for the refusal in each case.

(*Answered by Mr. Bryce.*) This Question appears to have been asked under a misapprehension. In their last annual Report the Estates Commissioners, referring to estates for sale in the Land Judge's Court, make the following remark: During the period inspections were made of ninety estates, in three of which the Commissioners refused, after inspection, to make an offer. The three estates are:—(1) Francis G. Foster and others, trustees of John Wray, deceased, county Tyrone. The Commissioners declined to make an offer for the purchase of this estate, as less than three-fourths of the tenants in rateable value were willing to sign undertakings to purchase at the estimated price. (2) William Dopping and Antony John Dopping, county Westmeath. In June 1905 the Estates Commissioners refused to make an offer for this estate, having regard to the character of the holdings. They recently reconsidered the matter, and in October of this year made an offer for the estate, which is at present under the consideration of the Land Judge. (3) Jeremiah Dunne, Queen's County. This property was inspected, but the Commissioners decided, in the special circumstances of the property, and in the exercise of their discretion, that they would not make an offer for it.

Clearing of Land at Lagos.

MR. KEIR HARDIE (Merthyr Tydvil): To ask the Under-Secretary of State for the Colonies, whether he has received a petition from Lagos, West Africa, praying for the intervention of the Government in regard to a Bill passed by the Legislative Council of Lagos in August last whereby 6,000 persons will be dispossessed of their property; whether the site which the Bill proposes to clear was selected in 1865 by the late Sir John Hawley Glover, the then Governor, for occupation by the men of the Hausa tribe on their return from a military expedition, and was cleared by them, and houses erected thereon at their own expense and have since been maintained by them; and whether, under the circumstances set forth in the petition, the Colonial Office will take immediate steps to protect the petitioners and others interested, who will, if the Bill is permitted to come into operation, in the language of the petition, be cast out in their old age, homeless and helpless.

(*Answered by Mr. Churchill.*) The petition to which the hon. Member refers has been delayed in its course to the Colonial Office, no doubt through the absence from Lagos of Sir W. Egerton, who has been on tour in the interior. It has now been received, and will be carefully considered by the Secretary of State. The healthy and ordered expansion of the town of Lagos, the need of improved sanitation, and of regular barrack accommodation for the forces, are all very necessary and desirable public objects. The Secretary of State has no reason to suppose that every precaution is not being taken to inflict no real material hardship or injustice upon poor people inconvenienced by such improvements, but he will call the attention of the Governor specially to the subject.

Liverpool Victoria Legal Friendly Society.

MR. TOMKINSON (Cheshire, Crewe): To ask the Secretary to the Treasury, whether having regard to the number of public meetings held in different parts of the country in opposition to the conversion of the Liverpool Victoria Legal Friendly Society into a limited liability company, he will order such inquiry as may be considered necessary to ascertain whether or not the members of the society are in favour of such a step being taken.

MR. SLOAN (Belfast, S.): To ask the Secretary to the Treasury, whether any, and, if so, what, action has been taken regarding the affairs of the Liverpool Victoria Legal Friendly Society; and whether, in view of the action taken by the society's officials and the dissatisfaction of a large proportion of its members, he will order an inquiry into the whole matter.

(*Answered by Mr. McKenna.*) Perhaps I may refer the hon. Members to the Answer which I gave yesterday to the hon. Member for the College Division of Dublin, to which I can add nothing at present.†

Hours of Labour of Crews of the Customs Launches.

MR. STEADMAN (Finsbury, Central): To ask the Secretary to the Treasury, whether he is aware that the crews of the Customs launches are the only men in the Customs service who are not included in the forty-eight hours week and do not receive any payment for Sunday labour; and will he consider the advisability of treating these men, as to payment for Sunday work, when employed, in the same way as obtains through the rest of the Customs service.

(*Answered by Mr. McKenna.*) I am informed that the matter is now receiving the consideration of the Board of Customs.

"Distress Committees" and Suggested Change of Name.

MR. SUMMERBELL (Sunderland): To ask the President of the Local Government Board, if his attention has been called to the fact that owing to the name Distress Committee a large number of unemployed men refuse to register themselves in any towns where such committees exist; that on account of this a full return of the unemployed is not secured; and, if so, whether it is his intention to take any action with a view to a change of name, as also the granting of more extensive powers to such local committees to provide work for the unemployed.

(*Answered by Mr. John Burns.*) I am aware that in some instances the name "Distress Committee" has been objected to, but it is that given to these committees by the Unemployed Workmen Act, under which they are appointed. An amendment of the Act would be necessary for altering the name of these bodies and also for granting them more extensive powers. I do not propose to introduce legislation for this purpose at the present time.

Reserve of 12-inch Guns.

MR. NIELD (Middlesex, Ealing): To ask the Secretary to the Admiralty whether, exclusive of the guns of that class destined for the three armoured cruisers now under construction, there exists a sufficient reserve of 45 calibre 12-inch guns (mark X) to meet any emergency.

(*Answered by Mr. Edmund Robertson.*) The Board of Admiralty have provided for all requirements.

Elementary Teachers' Superannuation Fund — Contribution of Deceased Members.

MR. HEDGES (Kent, Tonbridge): To ask the President of the Board of Education to what account have been placed the contributions, under The Elementary Teachers' Superannuation Act, 1898, of those teachers who died before reaching the age of sixty-five and received no benefit under the Act; and whether he is able to say when the Report of the present revaluation will be made public.

(*Answered by Mr. Birrell.*) All contributions received by the Board of Education under the Elementary School Teachers (Suparannuation) Act, 1891, including those specially referred to in the Question, are paid over monthly to the National Debt Commissioners as required by Section 3 (2) of the Superannuation Act. In reply to the second paragraph of the Question I have to say that no revaluation has yet been decided on, still less begun, and I am not yet in a position to say when the actuarial investigation which is being conducted for the Board of Education and the Treasury will be completed.

Education Bill, 1906—Payment of Additional Grant.

SIR C. HILL (Shrewsbury): To ask the President of the Board of Education if the additional Grant of £1,000,000 will be paid to the local education authority under Section 13 of the Education Bill during the financial year 1907–8, or during the subsequent financial year.

(*Answered by Mr. Birrell.*) I have nothing to add to the Answer given tc the hon. Member for Lichfield on 9th July last,† which was to the effect that a Bill will be introduced next session in which the whole question of the additional Grant of £1,000,000 for elementary education will be dealt with.

---

† See Col. 122.

Publication of Parliamentary Elections Expenses Return.

MR. STRAUS (Tower Hamlets, Mile End): To ask the Secretary of State for the Home Department whether he can say when the Parliamentary Elections Expenses Return will be in the hands of Members, ordered to be printed by the House on 2nd August.

(*Answered by Mr. Secretary Gladstone.*) I hope the Return will be in the hands of Members by the end of this month.

Post Telegraph Offices—Permanent Staff—Overtime.

MR. W. T. WILSON (Lancashire, Westhoughton): To ask the Postmaster-General whether he is aware that a Departmental Committee, consisting of the principal officers of the Post Office, recommended that as a broad principle in telegraph offices the permanent establishment of an office should be framed to meet the minimum requirements; whether a further recommendation was made that delays of thirty minutes on press work should be ignored, and that the officers who did not comply with the economical requirements demanded were not to be promoted; whether the Committee recommended the use of overtime and temporary assistance and learners; and whether he will state if he has discontinued the policy adopted by the department as contained in these recommendations.

(*Answered by Mr. Sydney Buxton.*) The hon. Member is quoting from the Report of a Committee which sat more than twelve years ago; none of the members are now in the service. This principle does not represent the present policy of the department.

Reinstatement of Evicted Tenants—Case of Mrs. Leah Guinn Garvaghy of Irvinestown.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received any application from Mrs. Leah Guinn Garvaghy, Irvinestown, county Fermanagh, an evicted tenant, to provide her with a holding; whether the Commission has acquired, or is about to acquire, any untenanted land in the neighbourhood of Irvinestown on which holdings for evicted tenants in that district could be provided; and, if not, will he represent to them the desirability of doing so.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that Mrs. Guinn's application was lodged with them in June last. The Commissioners are negotiating for the purchase of untenanted land in the neighbourhood of Irvinestown, and Mrs. Guinn's application will be considered in connection therewith.

Appointment of Mr. Murphy as Sanitary Sub-Inspector, etc., at Lismore.

MR. O'SHEE (Waterford, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mr. Michael Murphy was elected sanitary sub-officer and collector of labourers' cottages rents by the Lismore Rural Council on 18th May last, eleven members being present and seven voting for him and other candidates; that the Local Government Board in September last informed the district council that they could not sanction Mr. Murphy's appointment; that the district council by resolution passed unanimously, sixteen members being present, requested the Local Government Board to give their reasons; and that subsequently the Local Government Board wrote asking if there was a quorum present when Mr. Murphy was elected; and whether, seeing that the Local Government Board have received a complaint with regard to neglect as to the local water supply of which the sanitary sub-officer acts as caretaker, they will now sanction the appointment made.

(*Answered by Mr. Bryce.*) The facts are substantially as stated. An advertisment was issued by the board of guardians inviting applications for the position of relieving officer, and the advertisment contained the following statement: "It has been arranged that the person elected relieving officer will be appointed by the district council as sanitary sub-officer for the district." The guardians elected a man named Higgins as relieving officer by seventeen votes against thirteen given in favour of Michael Murphy, who is referred to in the Question. After the election of Higgins, nineteen members (including, apparently, all Higgin's supporters) left the board room. It was then proposed to make a separate appointment as sanitary sub-officer, there being only eleven members present. At this election only seven members voted, and only four of these votes were cast for Murphy. The remaining four members, including the chairman, declined to vote. If, therefore, Murphy's election were now sanctioned, the result would be that the nominee of only four out of the thirty-nine members comprising the council would be chosen. Having regard to all the circumstances the Local Government Board have informed the district council that they are not prepared to express their sanction to the appointment of Murphy as sanitary sub-officer, unless the proposal be ratified at a meeting of the council of which due notice is given to each member.

---

† See (4) *Debates*, clx., 493.

QUESTIONS IN THE HOUSE.

Retired Naval Officers' Pay and Pension.

MR. BRAMSDON (Portsmouth): I beg to ask the Secretary to the Admiralty what number of lieutenants promoted from the ranks, and also of commissioned warrant officers, in the Royal Navy on the retired list, are now serving and holding Admiralty appointments in dockyards and other home towns; whether such officers receive their pensions in addition to their pay; and also, whether their Lordships will consider the advisability of replacing these retired officers, when vacancies occur, by those on the active list of the same rank and so accelerate promotion.

THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): The numbers asked for in the first part of the hon. Member's Question are, six lieutenants and carpenter lieutenants, and ten commissioned warrant officers. One retired lieutenant receives retired pay and a salary, and four retired commissioned warrant officers receive certain special allowances in addition to pension. The remainder draw the pay and allowances of their rank when on the active list, plus the usual bonus of 15 per cent. allowed under the Order in Council governing the employment of retired officers, but not their pensions. All these officers being on the retired list, I am informed that their employment does not affect the promotion of others.

Speed of Battleships.

*MR. BELLAIRS (Lynn Regis): I beg to ask the Secretary to the Admiralty whether the six designs of battleships from which the "Dreadnought" was selected comprised any ships of different speed; whether the ships of different speed carried similar armament in respect of heavy guns; and whether the six designs of cruisers, from which the "Invincible" was selected, embraced ships of less speed than the "Invincible" and costing less than £1,750,000 each.

MR. EDMUND ROBERTSON: It is not in the public interest to give the information asked for.

*MR. BELLAIRS: Has the attention of the right hon. Gentleman been directed to the adverse opinions expressed by Captain Mahan and other experts as to the cost of excessive speed? In the interests of economy would he consider the point?

MR. EDMUND ROBERTSON: No, Sir. I should like to have a copy of the article from my hon. friend.

The Home Fleet.

SIR GILBERT PARKER (Gravesend): I beg to ask the Secretary to the Admiralty what are the names of the six battleships to be withdrawn from the Channel, the Mediterranean, and the Atlantic fleets and added to the home fleet.

MR. EDMUND ROBERTSON: As the vessels in question will not be removed for some months it would be premature to give their names.

SIR HOWARD VINCENT (Sheffield, Central): Has not the right hon. Gentleman decided on the names?

MR. EDMUND ROBERTSON: The removal may not take place for months, and meantime there may be a change.

VISCOUNT TURNOUR (Sussex, Horsham): Will the right hon. Gentleman give the House the names some time before the removal.

*MR. BELLAIRS: Will they be given before the adjournment of Parliament?

SIR GEORGE DOUGHTY (Great Grimsby): Why cannot the right hon. Gentleman answer the Question and give the names?

MR. EDMUND ROBERTSON: I have answered the Question.

VISCOUNT TURNOUR: The right hon. Gentleman has not answered my Question.

MR. EDMUND ROBERTSON: I will give the names as soon as the Admiralty thinks I ought to.

Admiralty Chain Tenders.

*MR. HOOPER (Dudley): I beg to ask the Secretary to the Admiralty whether a recognised trade union of chainmakers can obtain a copy of the form of tenders for contracts supplied by the Admiralty to firms when invited to tender for chain, cables, rigging, and pitch or block chains, such firms carrying on business within the district of the trade union.

MR. EDMUND BOBERTSON: The trade union referred to can obtain a copy of the form of tenders for naval contracts on the recommendation of the Parliamentary Committee of the Trade Union Congress. The union should therefore apply in the first instance to the Secretary of the Parliamentary Committee.

War Office Chain Contracts.

*MR. HOOPER: I beg to ask the Secretary of State for War whether a recognised trade union of chainmakers can obtain a copy of the form of tenders for contracts, supplied by the War Office to firms when invited to tender for chain, such firms carrying on business within the district of the trade union.

MR. HALDANE: A recognised trade union can obtain from the War Office a copy of the form of tenders for Army Contracts, on the recommendation of the Parliamentary Committee of the Trade Union Congress. The union to which the hon. Member refers should therefore apply in the first instance to the Secretary of the Parliamentary Committee.

Tidworth Barracks Hospital.

*CAPTAIN FABER (Hampshire, Andover): I beg to ask the Secretary of State for War whether any provision, and, if so, what, has been made for suppyling a hospital for Tidworth barracks, Salisbury Plain.

THE SECRETARY OF STATE FOR WAR, (Mr. HALDANE, Haddington): Arrangements have been made to re-appropriate part of Delhi Barracks for the purpose of a temporary hospital, and it has been decided to remodel Mooltan Barracks so as to provide a permanent hospital at Tidworth.

Woolwich Arsenal Discharges.

CAPTAIN FABER: I beg to ask the Secretary of State for War whether in view of the frequent discharges of Government labourers, and the destitution caused thereby, he will cause printed notices to be periodically publicly affixed in the Arsenal, warning men that the employment is probably only of a temporary nature.

MR. HALDANE: If the hon. and gallant Member refers to the labourers employed by the Army Ordnance Department at Woolwich, I would inform him that there are comparatively few men rated as temporary, and they know that they are temporarily employed. As regards the employees of the Royal Arsenal, the suggestion embodied in this Question is, I am afraid, not one which can be adopted, because, as a general rule, the employment in the Arsenal is not of a temporary nature. Hitherto it has been the custom, where men are required for a particular piece of work which is known to be temporary, that they have been individually advised that the employment offered is temporary.

SIR W. EVANS GORDON (Tower Hamlets, Stepney): I beg to ask the Secretary of State for War whether, in view of the distress prevailing in Woolwich owing to the discharge of men from the

Royal Arsenal, any, and if so, what steps are in contemplation for providing work for the men thrown out of employment.

MR. HALDANE: As far as employment in the Royal Arsenal is concerned, I am afraid that I can add nothing to the reply given to the hon. and gallant Member last Wednesday.† As regards the question of other employment at Woolwich, I can only state that it is obvious that the matter is not one with which the machinery put by Parliament at the disposal of the War Office can enable it to deal.

SIR W. EVANS GORDON: Is the right hon. Gentleman aware that a considerable number of these men have expressed a desire to emigrate to Canada, and would it be possible for the War Office to give them any financial assistance?

MR. HALDANE: I am afraid Parliament has made no provision in the Estimates which would enable us to do that, but I will inquire.

*MR. CHIOZZA MONEY (Paddington, N.): May I ask my right hon. friend whether he has given consideration to the fact that the responsibilities occasioned by the discharges and imposed upon the local authority are really Imperial responsibilities, since the Government of the country established the Arsenal?

MR. HALDANE: That Question means, if my hon. friend is right, that the War Office is bound to make provision for the unemployed where it has works. I cannot assent to that view.

*MR. ALDEN (Middlesex, Tottenham): Would it not be possible for the War Office to make a grant to those trade unions which pay "out of work" pay so as to encourage trade union insurance against unemployment.

MR. HALDANE: If I were something else than the Minister in charge of the War Office and responsible for bringing the Estimates down to the standard which the House of Commons insists on, I might give specious Answers to these Questions, and possibly do something; but I do not think the House of Commons would let me, even if I were willing.

SIR W. EVANS GORDON: I beg also to ask the Secretary of State for War whether the men employed in the Royal Arsenal, Woolwich, to meet the emergency caused by the African War, were not temporary hands; whether these men have not all long since been discharged; and whether the total number of men now employed in the Arsenal is not less than before the declaration of war in 1899?

MR. HALDANE: The men taken on during the war were not all temporary hands, and these men have not all been discharged. The total number now employed in the Ordnance Factories is somewhat less than before the war. Every care has been taken to avoid making discharges not demanded by public interests.

MR. ARTHUR HENDERSON (Durham, Barnard Castle): Has the number of officials been reduced correspondingly?

MR. HALDANE: I can assure my hon. friend that we are looking as closely into their case as into that of the workmen, and we are reducing them wherever we can.

Indian Excise Administration.

MR. HERBERT ROBERTS (Denbighshire, W): I beg to ask the Secretary of State for India whether the Report of the Committee appointed to inquire into the Excise administration of India and to promote reforms therein has now been considered by the Government of India; and, if so, whether he can arrange for its circulation to Members of Parliament during the present session.

*THE SECRETARY OF STATE FOR INDIA (Mr. MORLEY, Montrose Burghs): I have ascertained from the Government of India that they are considering the report, and that owing to the importance and complexity of the questions involved, some time may elapse before they can come to decisions on the recommendations of the Committee. I quite understand my hon. friend's desire to be put in early possession of the Report, and I will see that it is presented as soon as the Government of India have dealt with it.

---

† See (4) *Debates*, clxiii, 1090.

Mr. HERBERT ROBERTS: I beg to ask the Secretary of State for India whether his attention has been drawn to the statement in the Report on Excise Administration in Bengal, that the excise revenue for the year 1905–6 amounted to 153 lakhs (£1,019,898), representing an increase of 11 lakhs (£73,326), or 7·9 per cent. on the figures of the previous year; whether he is aware that the Bengal Excise Bill, which was under the consideration of the provincial Legislative Council two years ago, was designed to diminish the facilities for the sale of intoxicating liquors; and whether, in view of the spread of drinking habits among the people, this measure will now be proceeded with.

*Mr. MORLEY: I have referred to the Report, and I find the evidence in it that the increase in revenue is due to a considerable extent to increased duties on drugs and heavier license fees. I have ascertained from the Government of India that it is proposed to reconsider the Bengal Excise Bill in the light of the recommendations of the Excise Committee before proceeding further with it.

The Partition of Bengal.

Mr. C. J. O'DONNELL (Newington, Walworth): I beg to ask the Secretary of State for India if he can indicate, even generally, what are the political reasons that prevent him from re-opening the question of the partition of Bengal, which he admits to be offensive to the nation concerned; and whether he can lay upon the Table any official report or letter which suggests that there is political danger in doing justice in regard to this national grievance.

*Mr. REES (Montgomery Boroughs): Before the right hon. Gentleman answers, may I ask, with reference to the expression "national grievance," whether mass meetings of Mahomedans have expressed their gratification at his statement that this policy is a settled fact, and have denounced the agitation against it as factitious and manufactured in Calcutta; further, is the right hon. Gentleman aware that the Hindu cultivators of Eastern Bengal have expressly protested against, and repudiated the agitation: whether he is aware that the Christians of Calcutta——

*Mr. SPEAKER: Order, order; this is in the nature of a speech.

*Mr. MORLEY (Montrose Burghs): I think I had better not intervene in this discussion. In regard to the Question on the Paper, I have nothing to add to what I said on Thursday,† that the production of Papers would in my view be prejudicial to public interest, and that the disadvantages of re-opening the question of partition would greatly outweigh any possible advantages. But I should like to remove a misapprehension. It was suggested here on Thursday that the present House has had no opportunity of discussing, with full information before it, the question of the partition of Bengal. That is not the case. The full Papers promised by my predecessor were published in the autumn, and on 26th February last an Amendment to the Address was moved by my hon. friend the Member for West Denbighshire, and debated for nearly four hours.‡ Since that date I have answered some forty Questions on the subject, and I hope hon. Members will therefore recognise that their desire for discussion and information has not been altogether baulked.

*Mr. LUPTON Lincolnshire, Sleaford): May I ask whether in the last fifty years there has been a similar agitation in Bengal, and whether the information of the last eight months would not give some justification for the reconsideration of a decision necessarily taken on very slender information?

*Mr. MORLEY: As to what has happened in the last fifty years, the hon. Gentleman perhaps knows better than I do. I fail to see what bearing the point has upon this question.

Mr. C. J. O'DONNELL: May I ask whether the Prime Minister did not promise that, if further facts were laid before the Secretary of State, he would further investigate the matter?

---

† See (4) *Debates*, clxiii., 1316–18.

‡ See (4) *Debates*, clii., 811 *et seq.*

*MR. MORLEY. What the Prime Minister said was that he was quite sure that if new facts, on good authority, were placed before me, I should be quite ready to listen to them and weigh them all.

Indentured Labour in Trinidad.

MR. SUMMERBELL (Sunderland): I beg to ask the Under-Secretary of State for the Colonies whether the regulations as regards indentured labour, framed in 1846 for Trinidad, are still in force; whether the expenses of indentured labourers are met in the following proportions—three-fifteenths from employers applying for labourers, five-fifteenths from the general revenue, and seven-fifteenths from an export tax on produce; and whether he will cause inquiries to be made into the whole question, in order to decide the advisability of stopping the recruiting of indentured labour for the West Indies at an early date.

THE UNDER-SECRETARY FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): The Trinidad Masters and Servants Ordinance of 1846 is still in force; it does not, however, apply to Indian immigrants, who are governed by Ordinance No. 19 of 1899. The proportions in which the expense of indentured labourers are met are as stated. The Secretary of State sees no reason for such an inquiry.

Great Britain, Russia, and Persia.

SIR H. COTTON (Nottingham, E): I beg to ask the Secretary of State for Foreign Affairs whether his attention has been drawn to the statements made that negotiations are now proceeding between His Majesty's Government and the Government of Russia for the delimitation of spheres of influence in Persia; and whether such delimitation would be consistent with the guarantees for the integrity and independence of Persia exchanged between Lord Palmerston and Count Nesselrode in 1838 and subsequently renewed.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD GREY, Northumberland, Berwick): Any negotiations with Russia respecting Persia will be conducted on the basis of the integrity and independence of Persia.

Diplomatic and Consular Service.

MR. BOTTOMLEY (Hackney, S.): I beg to ask the Secretary of State for Foreign Affairs whether a knowledge of the English language is made a condition of all appointments in the diplomatic and consular services.

SIR EDWARD GREY: A knowledge of the English language and British nationality is a condition of all appointments in the diplomatic and salaried consular services. If unsalaried consular appointments are held by persons unable to speak English, it is because no suitable English-speaking residents could be found. Unsalaried consular appointments are made at places where British interests are not sufficient to justify a salaried consular appointment.

SIR J. RANDLES (Cumberland, Cockermouth): Will the right hon. Gentleman also be careful to see that the Consuls know the language of the country to which they are accredited?

SIR EDWARD GREY: Under the rules in operation now every candidate for the consular service has to undergo an examination in which a knowledge of the language is, of course, one of the features.

MR. BOTTOMLEY: Am I to understand that before any appointment is made of an unsalaried official efforts are made to obtain a British subject for the post?

SIR EDWARD GREY: As I explained the other day†, unsalaried appointments are only made when it is considered that the British interests are insufficient to justify a salary. In such cases a choice has to be made from people resident in the locality, and if there is one of British nationality of course we give him the preference.

MR. BOTTOMLEY: I beg to ask the Secretary of State for Foreign Affairs what fees and emoluments are received by unsalaried members of the consular service.

SIR EDWARD GREY: Unsalaried consular officers either receive allowances equal to about three-quarters of the value of the fees levied by them, or allowances to cover their actual office expenses. In the latter case they also retain a proportion of certain fees, as authorised by the Orders in Council made under the Consular Salaries and Fees Act of 1891. In any case the allowance is calculated in order to cover out-of-pocket expenses.

---

† See (4) *Debates*, clxiii., 880.

The Congo Free State.

MR. ALDEN: I beg to ask the Secretary of State for Foreign Affairs whether he has any official Report to the effect that King Leopold has conceded territories in the Congo Free State to an American syndicate; whether the Crown demesne has also been leased to an American group; how far the reforms suggested as the result of the Commission of Inquiry have been carried into effect; and whether he could make any statement with regard to the question of the appointment of British or European Consuls.

SIR EDWARD GREY: No information has been received to the effect that territories in the Congo Free State have been conceded to an American syndicate, or that the Crown demesne has been leased to an American group. With regard to the reforms, I have nothing to add to the reply given on November 5th.† His Majesty's Government already have consular representatives at Boma, Stanleyville, and Leopoldville, and they do not at present propose to make further appointments. I am unable to make any statement with regard to the appointment of Consuls by other European Powers, except that a Belgian Consul has recently been appointed at Boma.

In reply to Sir GILBERT PARKER (Gravesend)—

SIR EDWARD GREY said that the British Government were represented at the places named in his Answer by one Consul and two Vice-Consuls.

MR. BOTTOMLEY: I beg to ask the Secretary of State for Foreign Affairs whether, having regard to the practice of the Foreign Office, the following members of the Diplomatic Service are British subjects, namely, Count Gleichen, Sir W. Goschen, and Messrs. Des Graz, A. Martelaos, Hohler, Baelz, Alvarez, Clemow, Marinitch, and Abbas Kuli Khan; and further, whether the following salaried members of the Consular Service are British subjects, namely, Messrs. Rafael Antonio Foutana, Sundius, Pitzipios, de la Croix Anatole Sauzier, J. Falanga, de Bruyne, Zohrab, de Coëtlogon, and du Vallon.

SIR EDWARD GREY: Out of the first list, three only are members of the regular Diplomatic Service, and they are British subjects. Of the second list one —Mr. Falanga—is only employed temporarily. The rest are British subjects with the exception of Mr. de la Croix, and Mr. de Bruyne, who are Consuls with permission to trade, and were appointed over thirty years ago under a system which is now obsolete.

Servia.

MR. BOTTOMLEY: I beg to ask the Secretary of State for Foreign Affairs whether negotiations are now in progress for a commercial treaty between Great Britain and Servia; and, if so, what precautions will be taken to prevent repudiation similar to that which occurred with respect to the treaty of commerce between the two countries in 1881.

SIR EDWARD GREY: Negotiations have not actually begun, but when they do take place they will be conducted as is usually done between independent States.

Macedonian Outrages.

MR. G. GREENWOOD (Peterborough): I beg to ask the Secretary of State for Foreign Affairs how many deaths by violence have been reported as occurring in the three Macedonian vilayets respectively during the present year.

SIR EDWARD GREY: His Majesty's Consular Officers have reported 577 deaths by violence in Salonica, 481 in Monastir, and 188 in Kossovo for the nine months ended 30th September.

Turkish Outrages at Rodevo.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Secretary of State for Foreign Affairs what punishment has been carried out in connection with the outrages recently committed by Turkish troops at Rodevo.

---

† See Col. 119.

SIR EDWARD GREY : No information has yet reached His Majesty's Government as to the punishment inflicted, but His Majesty's Charge d'Affaires at Constantinople was authorised to make representations to the Grand Vizier on the subject, and to report the action taken by the Ottoman authorities.

Taxation of Motor Cars.

MR. WEIR (Ross and Cromarty): I beg to ask Mr. Chancellor of the Exchequer if he will now consider the expediency of placing a tax on motor cars on a scale rising in proportion to their horse-power.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fifeshire, E) : The Royal Commission have recommended against the taxation of motor cars on the basis of horse-power or cylinder capacity, in view of the administrative difficulties involved and of the fact that the experience of its working in France is not entirely satisfactory (see paragraph 158 of Report [Cd. 3650]). The whole question of the taxation of motor vehicles is being considered in connection with that Report, but I am not in a position to say whether I shall have any proposals to make on the subject until the time comes for introducing the Budget.

Registry Office Fees.

MR. SUMMERBELL: I beg to ask the Secretary of State for the Home Department if he has received particulars as to the fees charged by registry offices to male applicants for situations; and, if so, whether it is his intention to take any action in regard to the matter, in view of the information that has been supplied to him.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W) : In consequence of an Answer which I gave in May last† to the hon. Member for Blackburn on this subject I have received from the Caterers' Employees' Union particulars of alleged excessive or fraudulent charges at certain offices, and I am investigating the matter.

Refreshment Caterers and the Truck Act.

MR. SUMMERBELL : I beg to ask the Secretary of State for the Home Department if his attention has been called to stoppages from wages of refreshment catering employees in the shape of fines upon such pretences as glass money ; and, if so, whether it is his intention so to amend the Truck Act as to make such fines a penal offence.

*MR. GLADSTONE : I have received a copy of a resolution on this subject from the Caterers' Employees' Union. As the hon. Member is aware, the question of the Amendment of the Truck Acts is now under consideration by a Departmental Committee, and until their Report is received I am unable to make any statement on the subject. In the meantime it is open to the catering employees to furnish information to the Committee on the matters complained of, and I will refer the resolution I have received to the Committee for their consideration.

Diseased Immigrants.

SIR W. EVANS GORDON : I beg to ask the Secretary of State for the Home Department whether he is aware that trachoma, from which certain immigrants rejected by the United States and brought back to this country are suffering, is a dangerous and highly infectious disease of the eye, and the third cause of total blindness ; whether any steps are taken to segregate such cases and prevent the infection being conveyed to others ; and whether he can state by whom the cost of treating diseased emigrants rejected in the United States is borne.

*MR. GLADSTONE : I am well aware of the serious character of the disease called trachoma. I gave particulars last Tuesday, in answer to the hon. and gallant Member for Central Sheffield,† of the conditions laid down in the single instance in which I have permitted an alien transmigrant reported by a Medical Inspector under the Aliens Act to be suffering from trachoma to remain in the United Kingdom. The cost of the woman's treatment will be borne, I presume, by those who were interested in obtaining permission for her to remain in this country.

SIR W. EVANS GORDON : Does the right hon. Gentleman say he will not in future admit aliens rejected by the United States who are suffering from this terrible disease ?

---

† See (4) *Debates*, clvi., 716.

† See (4) *Debates*, clxiii., 885.

*Mr. GLADSTONE said he was awaiting a Report on the subject.

London Cabs.

Mr. THORNE (West Ham, S.): I beg to ask the Secretary of State for the Home Department whether he intends to carry into effect the recommendations of the Select Committee upon the abolition of the railway privilege cab system.

*Mr. GLADSTONE: As I said yesterday in answer to the hon. Member for Thanet, this question is one of well-known difficulty, but I am of opinion that it must be dealt with.†

Mr. THORNE: When ?

*Mr. GLADSTONE replied that there were great difficulties in the way, but the question would be dealt with as soon as possible. He thought a solution ought to be found, and he was endeavouring to find one.

Lottery Circulars in the Post.

Mr. NIELD (Middlesex, Ealing): I beg to ask the Postmaster-General whether any regulation exists whereby the delivery through the post of continental and foreign lottery circulars can be withheld; and whether, failing any such regulation, he will consider the advisability of framing one or introducing some legislation on the subject designed to prevent the postal service of this country being made the conduit for these undesirable alien communications.

The POSTMASTER-GENERAL (Mr. Sydney Buxton, Tower Hamlets, Poplar): When lottery circulars are posted in open covers they are, when detected, withheld from delivery; but when sent in closed covers the Post Office has no cognisance of the contents and cannot prevent their transmission. I do not think that I should be justified in seeking powers to interfere with closed letters.

Betting by Telegraph.

Mr. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Postmaster-General whether he is aware that Arthur Magnus, a bookmaker, who has recently been fined £100 in Liverpool for keeping a betting house there, is now carrying on the business by the assistance of a special telegraphic address granted him by the Post Office; whether he will state where these betting telegrams are delivered in order that proceedings may be taken against the occupiers of the premises; and whether the Department will refuse such facilities to a known betting house keeper.

Mr. SYDNEY BUXTON: No telegraphic address has recently been registered in the name of Arthur Magnus, and in any case I feel I have no power to refuse to the senders or addressees of betting telegrams the facilities common to other members of the public.

Cocking Overseers' Correspondence.

Viscount TURNOUR (Sussex, Horsham): I beg to ask the Postmaster-General by whose authority a registered letter, addressed by Mr. E. Stewart of Horsham, on the 18th August, to the overseers of the parish of Cocking, Sussex, was redirected, as stated in a letter from the Postmaster-General to Mr. Stewart, without the authority of the sender, to the assistant-overseer.

Mr. SYDNEY BUXTON: I understand that the overseers of the parish of Cocking had requested that all correspondence addressed in the manner stated should be delivered to the assistant overseer; and the registered letter in question was dealt with accordingly. It is not the practice of the Post Office to obtain the authority of the sender before redirecting a letter in compliance with the wishes of the addressee. The delivery of the letter to the assistant overseer was a proper one so far as the Post Office is concerned.

Cards for Members.

Mr. VINCENT KENNEDY (Cavan, W.): I beg to ask the Postmaster-General whether, in the event of the authorities of the House arranging to have addressed to Members any cards not delivered, he will give instructions for such cards to be retained in the Lobby post office until called for by Members; or whether he will confer with the First Commissioner of Works and the authorities of the House in order that other steps may be taken to that end.

---

† See Col. 125.

MR. SYDNEY BUXTON: I am afraid it would be difficult to arrange to do as the hon. Member suggests, which I understand to be that these cards should be placed with letters to be called for. It is not desirable that cards or other articles which have not passed through the post should be placed with mail matters, and receive treatment only accorded to letters, etc., unless indeed they are to be charged with postage. Perhaps the hon. Member would speak to me on the subject.

Religious Instruction in Schools.

DR. MACNAMARA (Camberwell, N.): I beg to ask the President of the Board of Education if he can state how many council school departments there are in England and Wales according to the latest available Returns; and whether he can say in how many of these there are neither religious observances nor religious teaching day by day, together with the name of the local education authority or authorities in the areas of which such schools are situated.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. BIRRELL, Bristol, N.): The total number of council schools on 1st January, 1906, was—in England 5,796, and in Wales, 1,004. The return as to religious instruction recently presented to Parliament gave no information as to the number of days in each week on which religious instruction is given in the schools. So far as can be gathered from the answers sent in by local authorities to Question 5 in the Return, it seems that there were seven schools in England and 158 in Wales in which, so far as the local authorities were aware, there was neither religious instruction nor religious observance; but I understand that, from the wording of several of the replies, it seems to be not quite certain whether in some of these schools there may not have been some religious observance as distinct from religious lessons. The schools in question were in the areas of three non-county boroughs, viz., Hyde, Glossop, and Rawtenstall in England and in the urban district of Ebbw Vale in Wales, and in five counties, viz, Carmarthen, Cardigan, Brecon, Pembroke, and Denbigh, in Wales.

DR. MACNAMARA: Is it not quite incorrect to say that in schools under sixty-eight local authorities there is no religious instruction of any kind? That was the statement of the Archbishop of Canterbury.

*MR. SPEAKER: It is a very inconvenient plan to ask questions about statements made in another place.

Procedure Committee.

MR. WILLIAM REDMOND: I beg to ask the Prime Minister if he can say whether it is intended that the Procedure Committee should meet again, in view of the fact that it has not been called together for a long time.

*THE CHANCELLOR OF THE DUCHY OF LANCASTER (Sir HENRY FOWLER, Wolverhampton, E.): The position of the Procedure Committee is this. We have made two Reports to the House. The House has dealt with one Report. The other Report, which is, I think, the more important one—with reference to the constitution and the enlargement of the functions of the Standing Committees—has not yet been considered in the House. I do not see that there can be any advantage in calling the Committee to meet and discuss any further alterations until this matter, which forms a pivot in dealing with procedure, has been settled. The Prime Minister authorises me to state that he hopes the consideration of that Report will be taken by the House before the termination of the present session.

Burwell Estate, Cambridgeshire.

MR. BRIDGEMAN (Shropshire, Oswestry): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if, in view of the general interest taken in the scheme for conversion of the Burwell estate into small holdings, he will give a Return of the previous residences and occupations of those who have become tenants of these holdings, together with the number in each family and the respective acreage of the holdings.

SIR EDWARD STRACHEY (Somersetshire, S.): The information desired by the hon. Member is not in the possession of the Government, and my noble friend doubts whether it is worth while granting a Return on the subject. I am, however, authorised by my hon. friend the Member for Newmarket to say that he will be glad to supply the hon. Member with full particulars, so far as he is able, if he will confer personally with him on the subject.

VISCOUNT TURNOUR: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what was the average weekly wage of the labourers formerly employed by the Crown on the Burwell Estate in Cambridgeshire and since dismissed; and what was the size of and rent asked for the small holdings on the said estate which were offered to the displaced labourers, and which the majority did not avail themselves of.

SIR EDWARD STRACHEY: The average weekly wage of the thirty-two adult labourers who were employed on the Crown farm at Burwell was about 14s. In addition nine lads under twenty were employed, whose average weekly wage was 9s. One of the adult labourers was a woman who was paid 8s. a week. My noble friend has no information on the other matters referred to in the Question, but I have no doubt that my hon. friend the Member for Newmarket will be willing to give the noble Lord the particulars he desires.

VISCOUNT TURNOUR: May I ask whether the hon. Gentleman can furnish the House with more details as to the offer of small holdings said to have been made to the labourers?

SIR EDWARD STRACHEY: Perhaps the noble Lord will confer with the Member for Newmarket who can give him information on that point.

Liverpool Victoria Friendly Society.

MR. CLAUDE HAY: I beg to ask the Secretary of the Treasury whether his attention has been called to the proceedings of the meetings of the Liverpool Victoria Legal Friendly Society, on 19th September and 5th October, whereby certain resolutions were purported to have been passed converting the society into a company; and whether he is aware that thousands of members of the society were unable to obtain admission to such meetings and vote and otherwise exercise their right as members; and whether he will refuse to sanction the registration of such resolutions until Parliament has had an opportunity of discussing the matter.

MR. McKENNA: Perhaps I may refer the hon. Member to the Answer which I gave yesterday to the hon. Member for the College Green Division of Dublin,† to which I can add nothing at present.

Trade Unionists on Government Contracts.

MR. SUMMERBELL: I beg to ask the Secretary to the Treasury if his attention has been called to the case of George Kilner, a cutter in the employ of Messrs. Wyman and Company, Government printers, Reading, who has been dismissed, after five years' service, on the plea of slackness, although he has recently joined the trade union, and his place was immediately filled by a non-unionist; and, if not, will he inquire into the matter.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. McKENNA, Monmouth, N.): I have communicated with Messrs. Wyman through the Controller of the Stationery Office on the subject of this Question. I am informed that Kilner was dismissed owing to a reduction of staff, and that his place has not been filled.

MR. SUMMERBELL: I beg to ask the Secretary to the Treasury if he is aware that Messrs. Wyman and Company, Government printers, Reading, are dismissing some of their employees because they are members of the National Amalgamated Society of Printers' Warehousemen and Cutters; and, if so, whether it is his intention to take any action in regard to the matter with a view to the firm complying with the fair wage clause of the Government.

MR. McKENNA: Messrs. Wyman inform me that the imputation contained in this Question is unfounded.

Corrupt Practices at Elections.

MR. STRANGER (Kensington, N.) I beg to ask Mr. Attorney-General whether he will consider the advisability of amending Section 2 of The Corrupt Practices Act, 1883, so as to render punishable not only acts, such as are set out in the section, which are proved to have been done with a view to compel a person to vote or abstain from voting or in consequence of his having voted or refrained from voting, but also all acts of intimidation and undue influence which are proved to have been done in consequence of or in order to prevent any lawful act or conduct on the part of any person at and in connection with an election.

---

† See Col. 122.

SIR JOHN WALTON: The terms of Section 2 of the Corrupt Practices Act 1883 need revision. There is great difficulty in enforcing the law as it stands and there would be still greater difficulty in giving effect to more stringent provisions. It may, I think, be expected that the reprobation of enlightened public opinion will tend to check the practices to which the hon. Member refers.

Charlotte Brontë's Portrait.

SIR WILLIAM BULL (Hammersmith): I beg to ask the First Commissioner of Works whether the director and trustees of the National Portrait Gallery are satisfied that the alleged portrait of Charlotte Brontë is genuine; and, if not, whether any steps can be taken better to safeguard the expenditure of public money on works of art.

MR. McKENNA (for Mr. HARCOURT): I have not been able to obtain the views of the trustees, but I am in communication with them; and if the hon. Member will put down his Question again later in the session I hope to be able to inform him of their reply to his inquiry.

Dr. Dittmar's Report.

MR. WEIR: I beg to ask the Secretary for Scotland if he will again consider the expediency of laying upon the Table of the House the Memorandum by Dr. Dittmar, the Local Government Board's Medical Inspector, entitled "Statistical Data presented by the Lews for ten years to 1904," especially having regard to its importance in connection with the Report on Physical Deterioration and the increase of phthisis in the Island of Lewis.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): I can add nothing to the Answer recently given to my hon. friend, which was in the negative. As I have already informed my hon. friend, the Memorandum which he desires to have printed does not add materially to the information already published, which is receiving the earnest attention of the Government.

MR. WEIR: Will the right hon. Gentleman have it published if I pay the cost?

MR. SINCLAIR: I should like notice of that Question.

Migration of Cottars from Lewis.

MR. WEIR: I beg to ask the Secretary for Scotland if he will consider the expediency of requesting the Lewis District Committee to submit a list of the names of cottars and others now resident in the island who are willing to migrate to the mainland if the Congested Districts Board arrange reasonable aid for their settlement.

MR. SINCLAIR: No, Sir. The Congested Districts Board is not in a position to make any such request, but the Board is willing to receive any such names.

MR. WEIR: Is the right hon. Gentleman aware that I received the names twenty-four hours ago? Will he put a little more energy into the Scottish Office?

[No Answer was returned.]

MR. WEIR: I beg to ask the Secretary for Scotland whether, as the result of his recent visit to the Island of Lewis, he is satisfied as to the accuracy of Dr. Dittmar's Report in regard to the insanitary condition of the townships in the island; and, if so, will he state how he proposes to remedy the evils disclosed in the Report.

MR. SINCLAIR: I beg again to assure my hon. friend that this subject is receiving my earnest attention.

MR. WEIR: Is the right hon. Gentleman satisfied as to the accuracy of the Report?

MR. SINCLAIR: The Report is a valuable official document and it is receiving the attention it deserves.

MR. WEIR: I am glad to have that admission.

Scottish Local Government Inspectors.

MR. WEIR: I beg to ask the Secretary for Scotland in view of the fact that whilst the Local Government Board for Ireland employs one medical commissioner, seven medical inspectors, nine general inspectors, and four temporary inspectors, and two temporary assistant inspectors, the Local Government Board for Scotland employs one medical member, one medical inspector and four general superintendents who are inspecting officers, will he state on what grounds he refuses to approach the Treasury for an additional staff of medical inspectors for Scotland.

MR. SINCLAIR: They are not in my opinion required.

Foreign Trawlers in the Moray Firth.

MR. WEIR: I beg to ask the Secretary for Scotland if he will state the number of foreign trawlers observed fishing in the Moray Firth since the unanimous decision of the Judges of the High Court of Justiciary at Edinburgh in respect of the Moray Firth foreign trawlers' case.

MR. SINCLAIR: No foreign trawlers have been observed working in the Moray Firth since the date of the decision in the High Court of Justiciary.

Insanitation in Stornoway.

MR. WEIR: I beg to ask the Secretary for Scotland whether he is aware that an inspector from the Scottish Society for the Prevention of Cruelty to Children, who recently visited the Island of Lewis, reported that there are a number of insanitary houses in Stornoway; and, seeing that Murray's Court and Pringle's Court consist of houses which are much overcrowded, especially during the fishing season, will the Local Government Board for Scotland take such action as may be necessary to ensure these and other insanitary properties being put in such a condition as will conform with the requirements of the Public Health (Scotland) Act.

MR. SINCLAIR: I have drawn the attention of the Local Government Board to the Report referred to by the hon. Member and it is now before them.

Illegal Trawling off Cape Wrath.

*MR. MORTON (Sutherland): I beg to ask the Secretary for Scotland if he will state why the trawler engaged in trawling within the three-mile limit off Cape Wrath, in the early part of September, was not prosecuted, the number of the trawler having been taken by the lighthouse keeper.

MR. SINCLAIR: There was not sufficient evidence available to secure a conviction.

*MR. MORTON: Is it not a fact that the lighthouse keepers, although instructed to make these reports, are not allowed to leave the lighthouse to give evidence?

MR. SINCLAIR: The Northern Lights Commission allow them to help in this matter on condition that they shall not leave the lighthouses and thus interfere with the efficiency of the lighthouse service.

*MR. MORTON: But are they allowed to leave if they are required to give evidence?

MR. SINCLAIR: No, Sir.

Clare Railways.

MR. WILLIAM REDMOND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the attention of the Irish Government has been called to the burden imposed on the ratepayers of county Clare by the present arrangements in reference to the Clare Railways; and whether he will consider the desirability of devising some plan which will relieve the ratepayers of this burden; and whether the Government will take some steps in this direction.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.): The Answer to the first part of the Question is in the affirmative. Relief to the ratepayers could only be obtained by legislation transferring the burden to other shoulders. I understand that the county council have taken steps to bring the matter before the Viceregal Commission on Irish Railways now sitting, and pending the Report of the Commission on this and similar cases it would not appear to be desirable that the Government should consider the question of taking any steps in the matter.

Claremorris District Council Clerkship.

MR. BARRIE (Londonderry, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether in view of the demand of the Roman Catholic clergymen of Claremorris that no candidate for the vacant clerkship of that district council should be considered by them unless he held a certificate from his parish priest, he will say whether such request was agreed to by the district council; whether he has addressed any remonstrance to the district council against this treatment of candidates other than Roman Catholics; and whether, if the Claremorris Urban District Council should in making the appointment fail to consider all candidates on their merits and apart from their religious professions, he will order a fresh election.

MR. BRYCE: I am informed that the reply to the first part of the Question is in the affirmative. It is not within my province or that of the Local Government Board to address a remonstrance in the matter to the Claremorris Rural District Council. The election of clerk of the union rests with the Board of Guardians, which, however, consists of the same persons as the rural district council. Before the Guardians can elect a candidate, it is necessary that he should be proposed and seconded. If the Guardians should refuse to put to the vote the name of any candidate duly proposed and seconded, it would, I am advised, be competent for the Local Government Board to declare the election to be invalid, but the Board could not interfere if any candidate failed to get a proposer and seconder.

Religious Meetings at Boyle.

MR. BARRIE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mrs. Kennedy, a Protestant lady who lived near Boyle, county Roscommon, had been accustomed for years past to hold religious meetings in her house; that a new parish priest, named Father McDermott, has recently been appointed to the parish, and that he denounced these meetings from the altar; and whether, seeing that as a result of his action a crowd with fifes and a drum surrounded Mrs. Kennedy's house for several nights, that she was boycotted in the local shops, that a person who supplied her with the necessaries of life was in turn boycotted, and that Mrs. Kennedy has now been compelled to leave because of insufficient police protection, he will say what action he proposes to take to secure religious equality in Roscommon and Galway.

MR. BRYCE: I am informed by the police authorities that the facts are not as stated in the Question. Mrs. Kennedy, a Dublin lady, has been accustomed for several years to visit Ballinafad where she has held religious meetings in Protestant farm houses. It is, I am informed, not the case that Father McDermott has denounced these meetings as alleged. On three successive Sunday evenings a fife and drum band played along the public road, but did not surround the house in which Mrs. Kennedy was lodging or, indeed, go within 300 yards of it. It is not the case that Mrs. Kennedy or the person with whom she lodged was boycotted in the local shops; nor is it the fact that Mrs. Kennedy was compelled to leave because of insufficient police protection. The police afforded her the fullest protection during her stay at Ballinafad, and I am informed that no breach of the peace occurred, or was even attempted.

Land Purchase in County Limerick.

MR. LUNDON (Limerick, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland is he aware that for some time past the landlord on the Coote property and the landlords on the Dicken property outside the town of Kilmallock, in the county Limerick, have been arranging for the sale of those properties to their tenants; is he aware that on both estates there are some 300 acres of untenanted lands; and will he instruct the Estates Commissioners to purchase those lands for division among the poorer town tenants in Kilmallock, as in the case of the Cahirconlish tenants, and for a few evicted tenants, should such be in the locality.

MR. BRYCE: The Estates Commissioners inform me that proceedings for sale in respect of the two estates mentioned have been instituted before them, but the 300 acres of untenanted land referred to do not appear to be included in the sale. The Commissioners, however, will have inquiries made upon the subject of the untenanted land.

MR. LUNDON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, can he say how matters stand as to sale and purchase between the landlord and tenants on the Stafford Delmege property around Knocklong and Glenbrohane, county Limerick; is he aware that on that property there are between 200 and 300 acres of untenanted lands which might be brought into requisition for the benefit of labourers, poor farmers, and evicted tenants; and will he see that as soon as may be convenient the Estates Commissioners put themselves in communication with the landlord or the agents of the estate, the Messrs. Sanders, of Charleville. county Cork, so as to purchase these untenanted lands in the interest of the landless people of the locality.

MR. BRYCE: The Estates Commissioners inform me that an orginating application for the sale of portion of the Stafford Delmege Estate has been lodged with them, and the estate will shortly be inspected. The untenanted land referred to in the Question does not appear to be included in the sale, but the Commissioners will communicate with the landlord's agents on the subject.

MR. LUNDON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, can he say whether the Commissioners have sent an inspector to see after the claims for reinstatement to their holdings of John M'Grath and Thomas Barry on the Cooper property at Knocklong, county Limerick, where negotiations for sale and purchase are in progress between landlord and tenants; is he aware that a Mr. Hatte is making a claim for compensation as a planter while in reality he is only clerk in the office of the agents, the Messrs. Sanders; and will he cause inquiry to be made of Mr. P. Magner, rate collector of Kilfinane, whether it was Miss Cooper, the landlady, or Mr. Hatte who paid him the rates for the evicted farms.

MR. BRYCE: The Estates Commissioners inform me that the documents relating to the two cases referred to have been sent to their inspector who has been directed to inquire into the cases. The Commissioners will ask their inspector when dealing with the cases to inquire into the circumstances alleged in the Question.

Distress in the Bawnboy Union.

MR. VINCENT KENNEDY (Cavan, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he has received a memorial from the ratepayers of the Bawnboy and Ballyconnell Electoral Divisions of Bawnboy Union, county Cavan, praying for relief works in the district, in view of the fact that the potato crop, constituting as it does the mainstay and support of the inhabitants of the district, is a total failure this year, will steps be taken to alleviate the lot of these people, and combat the sufferings consequent upon the impending famine.

MR. BRYCE: I have received the memorial referred to. The Local Government Board have directed their inspector to visit the electoral divisions mentioned and report upon the circumstances of the people. The hon. Member may rest assured that the question of distress in the parts of Ireland where the potato crop has suffered will not cease to engage the attention of the Government.

Annagh Magistrates.

MR. HOGAN (Tipperary, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a lunatic had to be detained for two days in the police barrack at Annagh, Borrisokane district, recently, because two magistrates could not be got to attend to sign the necessary committal to a lunatic asylum; whether he is aware that the Lord Chancellor was asked to appoint additional magistrates for this particular district as far back as March last, and that no appointment has yet been made; and whether, in view of the necessity for more magistrates, he will see that appointments are made as soon as possible.

MR. BRYCE: I am informed that on Saturday, 15th September, the police at Annagh were unable to obtain the attendance of two magistrates early in the day. Two magistrates, however, were procured in the evening, and the necessary committal was then signed, but as there was no train to Clonmel, where the asylum is situate, until Monday morning, it was necessary to detain the lunatic at the police station. It appears that most of the magistrates of the locality were absent at the Banagher annual horse fair, and it is stated that there is, as a rule, no difficulty in procuring a sufficient attendance of magistrates. The Lord Chancellor informs me that he has recently appointed two new magistrates to attend at Borrisokane Petty Sessions, in which district Annagh is situate, and that he is about to appoint a third, who is resident near Annagh.

Earl of Drogheda's Queen's County Estate.

MR. DELANY (Queen's County, Ossory): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, whether he is aware that agreements to purchase their holdings have been signed by the tenants on the estate of the Earl of Drogheda, Ballyhupahaun, Rosenallis, Queen's County, at prices ranging from 25 to 26¼ years' purchase, exclusive of bonus; and whether, seeing that before the passing of the Act of 1903 the Land Commission, after inspection, refused to sanction a sale upon this identical estate at 18 years' purchase, when no bonus was payable, and in view of the fact that this is only a small and the poorest portion of the Drogheda estate in the locality, and in view of the increase of price, can he say if the Estates Commissioners are prepared to sanction this sale.

MR. BRYCE: I am informed by the Estates Commissioners that sixty-eight agreements for the purchase of holdings on the estate mentioned were lodged with them in January, 1905. The purchase prices are as follows:—In three cases of second-term judicial rents, 26·3 years purchase; in twenty-three cases of first-term rents, 23·9 years purchase; and in the remaining forty-two cases of non judicial rents, 25·7 years purchase. The estate is at present being inspected, and until the Commissioners have received their inspector's report, which will deal with the matters referred to in the latter part of the Question, it is not possible for them to say whether they will sanction the advances applied for.

MR. DELANY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, whether he is aware that two tenants on the estate of the Earl of Drogheda at Rosenallis, named Dan Geoghegan and Joe Costello, were at the late quarter sessions in the Queen's County decreed for interest at the rate of 3½ per centum, payable to the Land Commission, pending completion of the purchase of their holdings; will he say whether the price agreed upon is 26¼ years purchase, and is he aware that Geoghegan had been served, previous to signing the agreement, with an eviction-made-easy notice under the Act of 1887 for 1½ years rent, and that those arrears together with costs were added to the purchase; and can he say whether the Estates Commissioners have sanctioned this sale.

MR. BRYCE: I am informed by the Land Commission that Daniel Geoghegan, a tenant who had signed an agreement for the purchase of his holding upon the estate mentioned, was proceeded against at the sessions referred to for non-payment of £5 1s. 10d., interest in lieu of rent, being at the rate of 3½ per cent. on the purchase money, which purchase money is at the rate of 24·3 years purchase of the rent. Joseph Costello was not proceeded against, as he had paid the interest due by him. The Commissioners have no information as to whether Geoghegan had, before signing the purchase agreement, been served with notice under the Act of 1887. The Estates Commissioners have not as yet sanctioned any of the advances applied for in the case of this estate. The estate is at present being inspected.

County Court Eviction Notices in Ireland.

MR. JAMES O'CONNOR (Wicklow, W): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, out of a total of 707 eviction notices filed in the county courts in Ireland during the quarter ended 30th September 1906, 275 were in Ulster; can he say whether these eviction notices were on account of arrears of rent due; and can he state in how many cases the rents were judicial rents, first or second term; and whether any of them were non-judicial rents.

MR. BRYCE: The Return of Eviction Notices filed under Section 7 of the Land Law (Ireland) Act 1887, during the quarter ending 30th Semtember last, shows the fact to be as stated in the first part of the Question. The section quoted applies only to the case of judgments in ejectment for non-payment of rent; the Answer to the second inquiry is therefore in the affirmative. The Government have no information as to the number of cases in which the rents were judicial rents. There is no provision in Section 7 requiring that these particulars should be given in the notice.

Dromore Floods.

MR. SAMUEL YOUNG (Cavan, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received a memorial from 166 residents in the neighbourhood of Ballybay and Cootehill, county Cavan, complaining of the losses entailed by them every year through the flooding of the Dromore river; whether he is aware that the sufferers employed at their own cost an engineer to draft a drainage scheme, and offered to pay the cost of carrying it out, but that the Board of Works rejected the scheme, and declared themselves unable to suggest any alternative scheme; and what steps the Board of Works now proposes to take.

MR. McKENNA: I replied to a similar Question by the hon. Member for South Monaghan on the 26th July last, and I have very little to add to the Answer which I then gave.† Although the cost of the scheme, if sanctioned, would have eventually been borne by the owners of the lands affected, a loan would have had to be made in the first instance by the Board of Works, with repayment over a number of years. As I previously stated, the scheme appeared to the Board to be defective, and they assure me that the question of amending it was carefully considered and found to be impracticable before the scheme was ultimately rejected. The Board have no power to take further action in the matter.

MR. MACVEAGH asked if the Board of Works would allow the local authority to carry out these works?

MR. McKENNA: They will not advance money for this particular scheme, and it is quite open to the owners to put forward another scheme.

MR. MACVEAGH: What is the objection to this scheme?

MR. McKENNA: I cannot state that in answer to a Question.

MR. MACVEAGH: And the Board of Works cannot explain it either.

Kilgarvan Letter Delivery.

MR. BOLAND (Kerry, S.): I beg to ask the Postmaster-General whether he is aware that the train carrying the mails stops at Kilgarvan Station; can he state what would be the additional expense involved if the letters for Kilgarvan were taken out and conveyed to the village, which is only a few hundred yards distant from the station; and whether, in view of the fact that, under existing arrangements, letters for Kilgarvan are carried to Kenmare in the afternoon, detained there during the night, and sent back to Kilgarvan the following day, he will reconsider his decision in the matter.

MR. SYDNEY BUXTON: It is true that the train which conveys the day mails stops at Kilgarvan Station, but the letters for Kilgarvan, although carried on to Kenmare, are not retained there until the following day as the hon. Member supposes, but reach Kilgarvan the same evening. The cost of making a direct despatch to Kilgarvan would be about £9 a year; and, as I have already explained, I should not be justified in incurring this additional expense to effect the desired improvement, the amount of correspondence involved being very small.

MR. BOLAND: If it is not possible to have a separate delivery, can the right hon. Gentleman arrange that the letters shall be kept at the Post Office so that people may call for them?

---

† See (4) *Debates*, clxi., 1440.

MR. SYDNEY BUXTON: If the hon. Member will write me to the effect I will consider the matter.

Employment of Ex-Soldiers and Sailors.

SIR SAMUEL SCOTT (Marylebone, W.): I beg to ask the Prime Minister, what action, if any, the Government propose to take to carry out the recommendations made by Sir Edward Ward's Committee on the employment of ex-soldiers and ex-sailors.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): I am not as yet in a position to say what action the Government proposes to take in this matter.

Appointments of County Magistrates.

MR. HENRY (Shropshire, Wellington): I beg to ask the Prime Minister if, as the Lord Chancellor has to rely entirely on the Lord-Lieutenants, for the most part Members of the House of Lords, and opposed to the democratic principles held by the majority of this House, he will take into consideration whether the selection of county and borough magistrates could not be vested in a Minister or Ministers, who may be a Member or Members of this House, who would be able to obtain information as to the eligibility and suitability of persons recommended.

SIR H. CAMPBELL-BANNERMAN: This is a matter of policy which I can hardly deal with in answer to a Question.

Structural Changes in the House.

VISCOUNT TURNOUR: I beg to ask the Prime Minister when he proposes to grant a day for the discussion of the recent structural changes within the House.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): I cannot yet fix a day.

VISCOUNT TURNOUR: Might I ask, having regard to the strong feeling which exists, and which is not confined to this side of the House, whether the right hon. Gentleman would not consider the advisability of this matter being discussed, and whether, seeing that Mr. Speaker had announced from the Chair that an opportunity would be afforded, the Prime Minister could not fix a definite date?

SIR H. CAMPBELL-BANNERMAN: If the noble Lord considers the amount of business before the House he will see it is quite impossible to allocate at present the particular hour or two required for this matter. I am not aware of any strong feeling.

VISCOUNT TURNOUR: Is the right hon. Gentleman aware that the only reason that I and certain of my friends left off calling attention to the presence of strangers was that we were promised an opportunity to discuss the question?

SIR H. CAMPBELL-BANNERMAN: You shall get your opportunity.

Withdrawal of the St. Helena Garrison.

SIR GILBERT PARKER: I beg to ask the Prime Minister in view of the intended withdrawal of all troops from St. Helena, and the consequent impoverishment of a number of people on the island, whether the Government will take into consideration a Grant in Aid for the inhabitants.

SIR. H. CAMPBELL-BANNERMAN: The Secretary of State for the Colonies is considering the probable effects of the withdrawal of the troops on the financial position of the island, but it would be premature to discuss the question of a Grant in Aid.

STRANGERS IN THE HOUSE.

At the conclusion of Questions,

VISCOUNT TURNOUR rose, and said:—Mr. Speaker, I espy strangers.

*MR. SPEAKER: The House has twice pronounced an opinion on the matter to which the noble Lord calls my attention. I think it must be taken that the House has decided that, for the present at least, that part of the House in which the noble Lord spied strangers is not inside the House. What the eventual decision of the House may be is another matter, but for the present, until the House has had an opportunity of discussing the matter, I must take it that the House has already decided that that portion of the House is not within the precincts of the House.

Mr. CLAUDE HAY (Shoreditch, Hoxton): May I call your attention, Sir, to Standing Order 273, which says that, if at any sitting of the House a Member takes notice that strangers are present the Speaker or Chairman must forthwith put the Question that the strangers be ordered to withdraw?

Mr. CHARLES CRAIG (Antrim, S.) asked whether the House having decided on two occasions to tolerate strangers in the House, they had not still to see whether the House would tolerate them on a third occasion.

*Mr. SPEAKER: I am fully alive to the matter, and I do not think anything further need be said.

Sir FRANCIS LOWE (Birmingham, Edgbaston) asked whether it was not the fact that that part of the House in which strangers had been spied had formerly not been excluded from the House itself. He understood that the reason why the Speaker disallowed this Motion to be put was that that part of the House was not within the House. It had never been decided by Resolution of the House that the seats under the Gallery should be excluded from the House.

*Mr. SPEAKER: The hon. Member did not follow the ruling I gave. I have nothing to add to what I have said.

Mr. A. J. BALFOUR (City of London) asked the Prime Minister whether, after the ruling just given, he did not think it in the highest degree expedient that the House should soon have an opportunity of dealing with this question. He held that the matter could not be allowed to remain for long in suspense.

Mr. FLYNN (Cork, N.) asked whether the Prime Minister was aware that the part of the House referred to had been generally used by Members to get a quiet slumber.

Sir H. CAMPBELL BANNERMAN: I think it is a matter that ought not to be unduly delayed. I am sure we have no disposition to defer the opportunity for debate beyond what is reasonable.

Viscount TURNOUR submitted that, in accordance with the Standing Order, the Speaker had no power but to put the Question that strangers be requested to withdraw as soon as an hon. Member had called attention to their presence.

* Mr. SPEAKER: I do not think it was ever intended that the Standing Order should be applied in the way the noble Lord seeks to apply it. If it were so applied, although the House has pronounced against the view of the noble Lord, he would be entitled to raise the same question day after day until the end of the session. That would be a great straining of the Standing Order, and I am sure I strain it less by the interpretation I have put on it.

Viscount TURNOUR said he had not before espied strangers. He asked what would happen if there were introduced on to the floor of the House a stranger whose presence hon. Members on his side of the House objected to. Would it be out of order for an hon. Member to spy strangers?

* Mr. SPEAKER: In the case of any stranger finding a place on the benches of this House the attention of the House should be at once called to the fact, and I should put the Motion on notice being taken of it. But the action of the noble Lord in pointing particularly to the exact place which has already been the subject of consideration and division in this House led me, I think rightly, to believe he was raising the same question which was raised the week before last.

Mr. CLAUDE HAY asked whether the House was to understand that Standing Order 273 was practically repealed.

* Mr. SPEAKER: There is no Standing Order 273. There are only ninety-six Standing Orders. The hon. Member is really referring to Standing Order 91. On that I have nothing to add.

NEW BILL.

WEEKLY REST-DAY BILL.

"To secure a Weekly Rest-day," presented by Mr. Goddard Clarke; supported by Mr. George White, Sir Alfred Thomas, Mr. Steadman, and Mr. George Hardy; to be read a second time upon Tuesday next, and to be printed. [Bill 348.]

LAND TENURE BILL.

Order read, for Further Consideration of the Bill, as amended (by the Standing Committee.)

MR. A. J. BALFOUR (City of London) moved the adjournment of the debate. He said he did so on several grounds, each one of which would, in his opinion, justify his action. The first ground was the convenience of the House. The Government were disappointed, no doubt, in their plans with regard to the Plural Voting Bill, owing to the regrettable illness of the Minister in charge of it, but they told the House on Friday that they were prepared to go on with the Merchant Shipping Bill and were even anxious to discuss it. The House therefore understood that that Bill would be taken, and hon. Members in the faith that it would be taken had, of course, made their arrangements. All that had been upset by the plan of conducting Government business, which appeared to him absolutely arbitrary. The course adopted was inconvenient for another reason. The Bill before the House was originally a private Member's Bill, and the Government having taken charge of it proposed to amend it, and some of the Government Amendments only appeared on the Paper that morning. The Opposition had therefore had no opportunity of examining or discussing them. But for some reason, so far absolutely mysterious, the Government, instead of taking a Bill with which they were ready, had determined to take another Bill without the smallest notice, their Amendments having only appeared on the Paper on the very morning of discussion. That alone would justify him in asking the House to postpone the further discussion of the Bill until there had been time to consider the Government Amendments. But there were other reasons. Nobody acquainted with the methods by which it had been habitual to carry on business in the House during the last two Parliaments would say that the reasons he had given were not reasons which would have been powerful with the predecessors of the Government. On 4th August the Government asked the House to pass a Motion that for this part of the session Government business should have precedence, and that at the conclusion of Government business each day the Speaker should adjourn the House. He did not suggest that there had been a technical breach of that Resolution, but there had been a substantial breach. The House had no notice at that time that the Government intended to make this Bill a Government measure. He was not aware that anything fell from the Prime Minister suggesting that course. Indeed, a Minister, in answer to a Question, while admitting that the Bill was favourably looked on by the Government and that they would like to see it passed into law, never for a moment suggested that it was going to be made into a Government measure. Therefore in starring the measure they had not less certainly violated the common understanding of Members on both sides of the House when they had suddenly added to the list of Government measures with respect to which they asked the House to pass the Resolution of 4th August last. Besides these two grounds of justification for this Motion, he had a much stronger reason affecting the fundamental principles on which the legislative procedure of the House ought to be based. The measure before them was a private Bill which passed its Second Reading after four hours' discussion on a Friday afternoon, and was then sent up to a Grand Committee for consideration. On that Committee there was not a single English law officer present. The Government were not always successful in their attempts to mould legislation in the direction they desired. They were beaten by their own friends, and, as usual, accepted this beating with that serene philosophy which was so peculiar to the present Administration. On the Grand Committee the Government were not and could not be adequately represented, for the reason that that Committee sat at an hour when the majority of hard-worked Ministers could not find time to attend. The growing and salutary practice of that Assembly was to leave the framing and conduct of great controversial measures in the hands of the Government and to the admirable staff which assisted them in the drafting of their measures. It had been the practice of successive Speakers of late years always to give the closure at the end of a Second Reading debate on a Friday afternoon to measures formerly talked out. This practice was adopted only because private legislation of a controversial character had practically no chance of getting through the House, and was useful mainly as directing public attention to subjects on which legislation was desired and obtaining a preliminary decision on the subject whether legislation should be attempted or not. Private legislation still had a useful function to perform, chiefly connected with uncontroversial subjects. How could that practice be permitted to continue, if the Government were afterwards going to wait until a Bill had passed the Second Reading and a Grand Committee before they starred it? There was no precedent for such a proceeding. In 1893 or 1894 the Liberal Government gave an opportunity for discussing the Miners' Eight Hours Bill, but the experiment proved a disastrous failure, and led to no decision, although there was a long wrangle, in which the miners from the north expressed vigorously their differences with the miners from other parts of the country. On that occasion the Government did not take up the measure as their own, but they simply gave time to wrangle it out on the floor of the House. The Government had now seized the facilities which private Members enjoyed, and taking advantage of those privileges, they took over this Bill, which had passed its early stages, in its adult maturity, and they had adopted it as their own child. No Bill of this character could have got through on a Friday afternoon had it been a Government measure. Closure would not have been given after three or four hours to a Government measure of this kind. Closure, therefore, was obtained on false pretences. It was claimed because everybody supposed that the Bill would suffer the fate of controversial measures in the hands of private Members. Having got the Second Reading by false pretences, they were now squeezing their advantage to the last drop, with what motive he knew not, nor did he care to inquire. Whether they were building up what they called a case against the House of Lords he really neither knew nor cared. The House of Lords were amply qualified to look after themselves. What he did care for was that the Government had in effect aimed a most serious blow at the practice of discussion of private Members' Bills in that House. Evidently the House would acquiesce in the rapid closure of debate on these Bills no longer if they were in total ignorance whether it might not place the Government months afterwards in a position to take the Bill into its own hands and it having gone through its initial stages adopt it if the Government thought it was going to be popular or subserve some political interest of their own. The right hon. Gentleman was now the responsible Leader of the House. In his hands the business of the House necessarily lay. He pressed upon the House the view that the right hon. Gentleman had been lacking in that consideration for the minority which it was desirable should always animate the Leader of the House.

But, putting that minor point aside, did the right hon. Gentleman not think that by the course he had adopted he was aiming a blow, not at the minority, but at the whole practice of the House with regard to Fridays and private Members' legislation? If Mr. Speaker should think fit to vary the practice which had hitherto guided the Chair by declaring that the closure could not be granted after a four hours debate, unless it was evident that the Government did not intend to take the Bill into their own keeping, he did not know that the minority would lose by the change, but surely the House as a whole would think that it was a great disadvantage to take a decision on these Friday afternoons which, though never binding as to the details of a Bill, did show the way in which the current of public opinion was moving with regard to legislation on a particular subject. It was a valuable privilege to possess, and it was one which the Government were endangering by what they were doing that afternoon. It was for that reason, more than any special ground of complaint with regard to the manner in which they had been treated over this particular measure, that he desired that the practice, which had been hitherto adopted by general consent, should be continued —a practice which, it seemed to him, would be thoroughly shattered if it was not merely in the power, but within the will, of a single Minister to come forward and say, "Although the measure has received on the Second Reading but a half or a third of the general debate which it would have excited had it been a Government measure, and although that measure has been treated as a private measure all through the stages of the Grand Committee, nevertheless we intend to take all the advantages which would have been ours had we gone through the ordinary procedure of the House in regard to Government measures, we intend to pass it through this House, we intend to adopt it as our own, and, having got it forward by these illegitimate methods to a stage which, had we shown our hands, had we been honest enough to say what we intended to do, it could never have reached, we mean to take advantage of every technical privilege given to us by the House, at whatever sacrifice of the rights and privileges of unofficial Members."

Motion made, and Question proposed, "That the further consideration of the Bill, as amended, be now adjourned."—(*Mr. A. J. Balfour.*)

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs) said that the criticism of the right hon. Gentleman divided itself into two parts. In the first place the right hon. Gentleman found fault with the particular disposition of business this week. The House had been engaged on the Plural Voting Bill in the early part of last week and in the later days of the week on the Trade Disputes Bill. The intention of the Government would have been to proceed with the Report stage of the Plural Voting Bill on Monday, but the interval hardly afforded time enough for the framing of the necessary Amendments to carry into effect the promises that had been made by his right hon. friend in charge of the measure. He had made these promises out of consideration to members of the Opposition, and in order to meet their requests. His right hon. friend had made a number of promises that he would reconsider certain points and introduce words relating to them. There was not time before Monday to have these Amendments ready; therefore the Government proposed to devote Monday to the Merchant Shipping Bill, and then proceed with the Report stage of the Plural Voting Bill on Tuesday. Then supervened the unfortunate illness of his right hon. friend in charge of that Bill, who had made so many promises to hon. Members opposite that no one could very well take his place without a long delay, because the right hon. Gentleman was master of the subject in a higher degree than anyone else could be. Being unable to go on with the Plural Voting Bill on Tuesday, the Government therefore proposed to go on with this Bill. So far as these questions were concerned, therefore, the case of the right hon. Gentleman fell to the ground. The Leader of the Opposition now said that the Government had no right to "star" a private Member's Bill at all. The right hon. Gentleman said that it was brought forward on a Friday, that the Second Reading was taken on a Friday, in accordance with the practice which allowed a Bill to pass that stage with a comparatively short period for discussion on the general understanding that it was only an academic discussion and there was no chance of the measure going further. But the Bill was not closured on that Friday. A hostile Amendment to the Bill was rejected 322 to 77 votes, and the Second Reading was carried by 334 to 81 votes. The closure was allowed on the question of referring the Bill to a Grand Committee, not on the merits of the Bill. That Motion was carried by 306 votes to 72, and the Motion to refer the measure to a Grand Committee was carried *nem. con.* It went to the Grand Committee, who discussed it for nine days. The Government were in favour of the Bill. Substantially the same Bill had passed a Second Reading in 1895, and it was a measure with which the House was tolerably familiar. Were the Government and the House to lose all the work expended on the Bill? No; being in favour of the Bill and having had its provisions fully discussed in the Grand Committee, the Government resolved to give an opportunity to pass it into law; and they therefore starred it. Was that procedure exceptional? [Cries of "Yes."] Was no controversial Bill ever starred? The right hon. Gentleman's own name was on the back of the Musical Copyright Bill. It was very stoutly opposed; the Government were appealed to by him to star that measure. It was a private Member's Bill, and if the right hon. Gentleman's argument meant anything, it meant that no private Member's Bill should be starred. The present Bill was no more controversial than the Musical Copyright Bill. The right hon. Gentleman now said that he would take every advantage [Cries "No, no," "He was quoting you"] to oppose the Bill.

MR. A. J. BALFOUR: No, no; I never said that.

SIR H. CAMPBELL-BANNERMAN quite accepted that explanation, and therefore they might hope for a reasonable and quiet and not a dilatory discussion of the Bill. There was one little point of no great importance raised by the right hon. Gentleman as to the Government Amendments which had been put down that day. The Motion for the omission of Clause 3 had been put down in reference to the opinion of a number of the right hon. Gentleman's friends; and the other Amendments did not commence until Clause 11, which was not likely to be reached that night, and were consequential on the Amendment to Clause 3. So there was nothing on that ground. [OPPOSITION cries of "Oh, oh."] There was nothing in any of the grounds advanced by the right hon. Gentleman, and he trusted that the House would proceed to its business without further delay.

MR. LAURENCE HARDY (Kent, Ashford) said he did not think that the House generally, if it divested itself of Party feeling, could possibly feel satisfied that the Prime Minister had met the case made out by the Leader of the Opposition. It was only fair that the Prime Minister should have pointed out that it was only on Friday last that the House knew that the Land Tenure Bill, which was a private Member's Bill, was going to be added to the Government's programme for the autumn sittings; and the conditions under which the Government had accepted the Bill as a Government measure did not appear until their Amendments were put down on the Paper. He thought that that was a very strong proceeding to take. He maintained that anyone outside the House, who was shewn the Order Paper of 4th August last and saw the division there made between what was Government business and what was not, would certainly say that the Resolution then passed precluded such a proceeding as the Government had now adopted. He fully admitted that although the action of the Government might not be a breach of the Standing Order, it was a distinct breach of the spirit of the understanding on which the adjournment in August was agreed to, and on which the business of the House had been conducted until last Friday. But in addition to the Land Tenure Bill, the Government had starred the Town Tenants (Ireland) Bill, and the Provision of Meals for Children Bill. It would have been, he thought, a somewhat unprecedented proceeding to pick and choose large controversial measures from amongst private Members' Bills in an ordinary session; but he maintained that in this case it was a distinct breach of the agreement made between the Parties in the House in August last. Moreover, the step which the Government had taken was a direct attack on the principle of the ballot by which the precedence of private members' Bills was determined. He thought there was a very real danger in that. Three years ago he warned the Government then in office that by relegating private Members' Bills to Friday, when they would be inadequately discussed, they ran the great danger on an unscrupulous Government making use of the privileges of private Members to force forward unduly Bills in which they were interested, and in a manner never contemplated. If the Government had brought in this Land Tenure Bill, which included an Amendment of the Ground Game Act, there would have been a long discussion on the First Reading; whereas, it being a Private Members' Bill that stage passed without discussion, and the Second Reading was carried after only four hours' debate when the only law officer of the Crown present was one from Scotland. Surely, it was not right that a Bill having passed its Second Reading in that sort of way should be adopted as a most important Government measure, and it was not in harmony with the recommendation of the Procedure Committee, which stated that a special Grand Committee should be set up during the whole session to deal with private

Members' Bills. He supported the Amendment because he believed with the Leader of the Opposition that this procedure was a real menace to the rights of private Members, and also a breach of the understanding come to in August last.

*SIR J. DICKSON-POYNDER (Wiltshire, Chippenham) said that the opinion which he held was largely in agreement with that of hon. Gentlemen opposite and especially with that of the right hon. Gentleman who had spoken. He believed that discussion on a Bill dealing with a controversial subject, introduced by a private Member, should be looked upon as academic, even if it passed its Second Reading. But it was not from that point of view that he rose to support the Motion before the House. He believed that there were many Members who shared the opinion that this Parliament had been returned in order to do something real and practical for agriculture and rural questions. If they were to do something for rural housing and in the interests of small holdings, it seemed to him that the Government should have at its disposal before introducing legislation on these subjects all possible material upon which to found that legislation. There was a great deal in this Bill with which he was in entire agreement. He believed that some of the clauses were highly controversial, but there was a great deal to be said for the argument that legislation might be necessary in the direction aimed at. But if they were to have practical legislation for the agricultural districts of England it was necessary that all the information that could be obtained should be at the disposal of the Government in order that they might frame their legislation upon it. There had been sitting for the last two years a Select Committee, which was exhaustively examining into the small holdings question, and before the end of the year that Committee would have reported and submitted to Parliament specific recommendations. There was another Committee, of which he happened to have the honour to be Chairman, dealing with the rural housing question, and there would be points in their Report and recommendations which were closely connected with the subjects dealt with by this Bill. If this measure were passed in its present state it would create obstacles to the large development of small holdings throughout the country. He asked the Government to reconsider whether they could not postpone this particular legislation until they had the whole of the materials for it to their hand. The record of this Government in two years time would largely depend upon their agricultural legislation, and he was sure that they would be better able to pass useful legislation for the agricultural districts, if before they attempted to do so, they had all the materials at their disposal. After all, it would only be a postponement for a few months, because next year the Government would be in a position to introduce a Bill carefully framed by a Government Department. Such a Bill would of necessity be a much more useful and practical one than a measure which, like the present, was introduced upon the incomplete information at the disposal of private Members. There were now a number of private Members' Bills "starred" by the Government, and some of them were of great importance. There was one of almost universal importance to which he would like to allude. There was great danger that the Bill dealing with the provision of meals for children might be crowded out. Some hon. Members might not agree with all its provisions, but he believed that, speaking generally, it was supported. It could be easily amended and it would prevent great hardship upon children in industrial centres if it were passed. He earnestly suggested to the right hon. Gentleman that as the result of this debate he might consider the advisability of postponing the present Bill until he had before him the whole of the information in regard to the housing and small holdings in agricultural districts, and was thus enabled to bring forward a comprehensive measure dealing with the whole subject.

*MR. CHANNING (Northamptonshire, E.) said he would not have intervened in the debate, which struck him as being singularly unreal and uncalled for, but for the remarks which had just been made by the hon. Member for the Chippenham Division who seemed to think that this Bill was a wholly novel and unconsidered set of proposals upon which the Government and the hon. Members who had made themselves responsible for it had an entirely insufficient supply of information. It was perfectly well known that the hon. Member who drew the Bill was the hon. Member for South Molton. He himself and that hon. Member had both served upon the Agriculture Commission of 1893, which reported in 1897. That Commission obtained most exhaustive and authoritative evidence on the subject from every part of England and also from Scotland and reported exhaustively upon all the issues raised by this Bill. The present President of the Board of Agriculture was the Chairman of the Welsh Land Commission, which also went exhaustively into the whole subject and reported on those particular issues as they affected Wales. He ventured, therefore, to point out that the hon. Member was not well advised in suggesting that they were now proceeding to deal with matters upon which the Government and the private Members who were responsible for the Bill had not the fullest and most complete information. His hon. friend had also alluded to the fact that the Small Holdings Committee had not yet made their Report, and had urged that provisions of this Bill might tend to defeat their wish to see a large extension of small holdings. He (Mr. Channing) was a member of the Small Holdings Committee, and of course could give no indication whatever of what was likely to be the nature of their Report. But the Government, to a certain extent at any rate, in regard to Scotland in the Small Landholders Bill had shown its hand as to the conditions under which it expected small holdings to be successful, and so far from standing in the way of an effective Small Holdings Bill during the coming session he welcomed this measure as paving the way or satisfactory proposals.

Mr. MILDMAY (Devonshire, Totnes) said it seemed to him that the question was a very simple one. They had been discussing the Trade Disputes Bill and the Plural Voting Bill, and had been led to expect that they were going to debate the Merchant Shipping Bill. Suddenly and practically without notice, a Bill had been sprung upon them in which a totally different class of constituents were interested. There were many constituencies which were purely agricultural in their nature, such as his own. They had no trade unionists and no shipping interest, and the Members for those constituencies would have thought themselves at liberty to be absent from the House for the week. Was it therefore quite fair to spring upon them the Land Tenure Bill? He was quite sure the right hon. Gentleman was actuated by the same desire as previous Leaders of the House not to place the Opposition at a disadvantage, and, on reconsideration of the matter, he could not, he thought, but see that their complaint was justified. He would put this to him. Would he treat the Irish or the Labour Party in such a fashion? He was quite sure the Irishmen would not stand it. During his twenty-one years experience of the House he had never known business to be thus sprung upon them when hon. Members genuinely desirous of taking part in the debate were absent, and he thought if the right hon. Member would dispassionately consider the matter he would see they had just cause for complaint.

Mr. ROWLANDS (Kent, Dartford) thought hon. Gentlemen had gone a little wide in their arguments in drawing any possible inference from the Report of the Small Holdings Committee, of which body he happened to be a member. Up to the present time not a single word of that Report had been decided upon; the Committee only sat that morning to consider their draft Report, and, as far as he could see, all the questions dealt with by that Committee would be outside this Bill. The Prime Minister had not mentioned the whole of the time of the House which had been given to this Bill. Besides the Second Reading debate and the nine days spent in Committee, they had had two days on the Report stage, when very large divisions were taken. One of the most striking things which showed the way in which they were fought was that the Speaker granted the closure after two days had been spent upon the Report stage.

Colonel KENYON-SLANEY (Shropshire, Newport) thought he could break down one of the chief arguments used by the Prime Minister. When he said that the whole of the Amendments which represented the Government views were on the Paper, the right hon. Gentleman was quite mistaken, as that which in the opinion of the House was the chief Amendment to this Bill was not on the Paper. It was a matter of public notoriety and public knowledge that a great deal of the interest in this Bill, at all events in the minds of a great number of people, centred upon the fifth clause, on which the President of the Board of Agriculture had spoken with emphasis in the country. On every occasion on which the noble Lord had spoken he had stated clearly and definitely that an Amendment embodying the view of the Government was going to be put on the Paper in reference to that clause. It was not yet there. The Amendment to which the right hon. Gentleman had alluded was a matter of trivial importance, whereas the other was one to which those who were interested in the Bill had been looking forward with the utmost concern. He was not going to allege for an instant that the right hon. Gentleman, or those who worked with him, would take any unfair advantage of their position; but what was it they were making possible in the future? The present Government had an enormous majority in this House, and had absolute power as to what business they should make Government business during the session. They could indefinitely prolong the session for the purpose of carrying out the business they selected as especially their own. They had an enormous advantage in the ballot, and could get the great preponderance of private Bill legislation. It therefore followed that they could pick and choose if they liked from the Private Bills in order to put them forward as their own. That would be multiplying indefinitely the power placed in the hands of a majority, and it would be absolutely against fair play and the rights of the minority. The Government had not only their own majority, but they might utilise the power of private Members in the ballot. They could take for electioneering purposes those Bills which were most advantageous, passing over others, thus utilising not only their own power but also the rights of private Members to promote their own ends at the expense of public propriety and public justice. It was generally understood at the time of the Adjournment in August that the Government would have autumn sittings only to proceed with the business of the Government as it was understood in the summer, and no other. No one had any idea that they were going to press other measures into their list. The House would very soon lose credit as an assembly if they did not understand the merits of playing fair one with another. To add to their list of measures a Bill as to which the Government had given no sign that they contemplated taking it up was very unfair against the opponents of the measure. The Opposition fought this Bill in the summer fairly and honestly under the rules of the House, and, having been beaten in a fair fight, was it fair that its supporters should come behind and take advantage of that to which they had no right? The hon. Member for Northamptonshire had argued that the House was in possession of ample knowledge of these matters, partly because of the Report of the Royal Commission of which he was a distinguished member. That Royal Commission reported adversely to a good many propositions contained in the Bill, and therefore he might further use that argument in support of the contention that on grounds of fair play and to prevent a grave Parliamentary scandal the Bill should not be proceeded with. For these reasons he confidently appealed to the generous sense of the House to support them in their contention.

MR. J. WARD (Stoke-on-Trent) said that one of the reasons that had been suggested for this Motion which seemed at all practical and germane to the subject was that certain hon. Members, because of absence from the House, were unable to take part in the debate. He supposed that was another way of saying that these hon. Gentlemen were shooting or hunting. Those who were in attendance ought not to have to wait the pleasure of others who were not. A remark had been made to the effect that the Government would not dare to spring upon the Labour Members or the Irish Members a subject in which they were specially interested without giving them notice. As a matter of fact, he believed the Labour Members would be only too delighted to have any legislative work dealing with labour forced upon them at any time. The Labour Members were present to work, and he felt disgusted with the waste of valuable time to-day in a barren discussion which might have been devoted to the consideration of the Bill itself.

Mr. ABEL SMITH (Hertfordshire, Hertford) said that Labour Members would reasonably complain if a Bill to which they were opposed were suddenly brought forward as a Government measure. He could not understand what had induced the Government to take this extraordinary and unprecedented course. No reason had been put forward by the Prime Minister why, in the absence of the First Commissioner of Works, he should not put down the Merchant Shipping Bill. He wondered whether the action of the Government was due to the threat of the President of the Board of Agriculture. It was certainly not from any pressure from any large body of Government supporters in this House, because it was within public knowledge that a considerable number of hon. Gentlemen supporting the Government were strongly opposed to the provisions of this Bill. The President of the Board of Agriculture had made a great many speeches during the recess, but that was certainly no reason why the Government should have adopted this Bill without any demand for it among the class most interested. The President of the Board of Agriculture had been rushing up and down the country trying to find a farmer in favour of it, and he believed he had found one. But he was certainly not successful in Scotland, however successful he might have been in England. The Scottish Chamber of Agriculture had refused to adopt the suggestions in the Bill, and the hon. Member for Leith Burghs had put down as an Amendment that the Bill should not extend to Scotland. Beyond that the hon. Gentleman had introduced a Bill called the Land Tenure (Scotland) Bill, which modified this Bill very considerably and especially left out Clause 5, to which so many hon. Gentlemen objected. If the Bill was not likely to benefit Scotland, he did not think it was likely to benefit England. The English Chambers of Agriculture had only given a very qualified support to its proposals. He agreed that it was a most unfortunate opportunity to take to attempt to deal with the land question. The Departmental Committee dealing with the question of small holdings and the Select Committee upon the Housing of the Working Classes, both of which had been sitting for a long period, were about to report, and whatever might be the effect of those Reports or of any measure founded upon them it was absolutely impossible for the Government to deal with the whole of these questions in the broad and statesmanlike manner desirable until they had considered those Reports. He protested most strongly against the attitude of the Government in this matter. It would have been a strong action for the Government to take at this period of the session after proper notice, but he believed that in the circumstances it was unprecedented. He agreed with his hon. friend that it was a most unsportsmanlike action.

*Viscount HELMSLEY (Yorkshire, N.R., Thirsk) said that all who desired to take part in this discussion felt most strongly the action of the Government in bringing the Bill on in the manner they had. If he were to use the strongest language possible and accuse the Government of a breach of faith he did not think he would be going too far. If the Resolution passed at the August adjournment did not mean that the Government was going to devote this part of the session to their Government business, it meant that every order on the Paper at that time came within it, and in that case the Resolution was worth nothing.

Mr. WHITLEY (Halifax) said the Government had already announced that they were going to give facilities both for this Bill and the Town Tenants Bill.

*Viscount HELMSLEY asked where that announcement was made, because the Opposition, including his right hon. friend the Leader of the Opposition, were entirely unaware of it.

SIR H. CAMPBELL-BANNERMAN said if the noble Lord appealed to him he would point out that it was thoroughly understood by Lord Lansdowne at all events, because the noble Lord in his letter to the Peers on the meeting of Parliament mentioned as one of the subjects which was sure to come forward the Land Tenure Bill, which had made such progress in the House of Commons.

*VISCOUNT HELMSLEY said he was unaware that the Leader of the Opposition and the Opposition themselves were expected to take the Government programme from the Leader of the Opposition in the Upper House.

SIR H. CAMPBELL - BANNERMAN said the noble Lord had said it was not understood. He thought he had said sufficient to show that it was, at all events by Lord Lansdowne.

*VISCOUNT HELMSLEY said he could not accept the statement of the right hon. Gentleman as an answer. It only showed that the answer of the right hon. Gentleman did not affect the statement made by the hon. Gentleman opposite who had said it was announced definitely by the Govenment that this was to be a part of the Government business during the autumn session.

MR. WHITLEY said in the case of the Town Tenants Bill it was announced across the floor of the House, and in the case of the Land Tenure Bill it was announced in reply to a deputation, the proceedings of which were reported in the Press.

*VISCOUNT HELMSLEY thought that if the hon. Gentleman referred to the report of the proceedings of that deputation he would see that he was far from stating the fact. In point of fact, it seemed to many from the reports that appeared that the Government were more inclined to drop the Bill altogether. But quite apart from the question of breach of faith there was a question of courtesy to the House. He thought the business of the House was arranged as far as possible to suit the convenience of both sides. Of course it was well known that when members of the Labour Party were absent from the House they were away on the business of their constituencies, and that when members of the Opposition were away they were fox hunting and shooting. But what was more to the point was the question of courtesy between the Parties in the House, and the question was whether the relations between those Parties were to be embittered more than they need be by the nature of the controversies between them. If they were, the Government had taken the best course to attain that object. His right hon. friend had explained that it was inconvenient to take this Bill to-day owing to the illness of the late Chief Secretary for Ireland, who took a keen interest in the measure, but apparently it was the privilege only of members of the Government to be excusably ill, and that privilege was not to be extended to the members of the Opposition. He thought they might have been treated with more courtesy by the Government. Then there was the interest of legislation to be considered. Was the House to suppose that the interest of legislation had been considered when a Bill, brought in on a Friday, and inadequately discussed because it was a private Member's Bill, and sent to a Grand Committee in spite of the feeling of a great many members of the Opposition that it ought to be discussed in Committee of the Whole House, was brought before them in this way. What during the nine days the Bill was before the Grand Committee was the attitude of the Government? The hon. Member for South Somerset sat on the Committee from day to day and nominally represented the Government. He represented the Government by a policy of silence and studied indifference, and it was only after constant joggings by the Minister for Agriculture that one day he ventured to intervene, his intervention merely amounting to saying that the Government did not so much mind what was done with regard to a particular Amendment, that he would leave it to the promoters of the Bill, and whatever they wished the Government would support.

That was the sole guidance the Committee received from the hon. Baronet who was supposed to represent the Government before the Committee. Then what about the Law Officers of the Crown. There were many complicated subjects before the Committee on which it wanted legal advice. He admitted the hon. Gentleman the Solicitor-General for Scotland gave such advice as he was able in the most impartial and learned manner, but he could only speak for Scotland. The Solicitor-General for Scotland was not the Solicitor-General for England, and the law of Scotland was not the same as that of England, especially in these difficult agricultural questions. If this Bill was to be treated seriously and made a Government Bill he thought that the Committee upstairs were entitled to the advice and opinion of the Law Officers for England. Further time should be given to the Bill in all its stages, having regard to its magnitude and importance. As a Government Bill it ought to have received proper treatment and not to have been sprung upon a reluctant House at the last minute and taken up by the Government in the way it had been.

Mr. ARTHUR HENDERSON (Durham, Barnard Castle) said he desired to make a few remarks upon the proposal now before the House. The policy of the Government was said to be interfering with the rights of private Members. He thought the House would readily agree with him when he said that those sitting on the Labour Benches would always be prepared to guard most jealously any interference with the rights of private Members. The policy adopted by the Opposition with regard to this special Bill seemed to suggest to him that their action was dictated from a desire to protect not so much private Members' interests inside the House as the private interests of certain Members outside the House. [Opposition cries of "Oh, oh!"] He had attended every discussion which had taken place upon the Land Tenure Bill, and he had no hesitation in repeating that the discussions suggested to him that the Opposition were anxious to protect not the interests of private Members in the House, but the interests of Members outside the House. Let them examine for a moment the three Bills which the Government were condemned for having starred. The Government had had the audacity to star three Bills to be taken during the autumn sitting with a view to preventing all the work done on them in this House and upstairs from being absolutely wasted. First of all, there was the Land Tenure Bill. That measure had received the careful consideration of the Committee for no less than nine days. He believed that since it came from the Committee two Fridays had been spent upon the same Bill. Were they to be told that a Bill, simply because it was introduced upon the responsibility of a private Member, after it had been considered by a Committee upstairs and had had two days devoted to its Report stage was not to be taken up by the Government? Why was the measure not to be proceeded with? Simply because of the hundreds of Amendments put down against it from one particular section of the House, and now the Leader of the Opposition asked the House that all this valuable work should be absolutely wasted, and that the House should begin with the Bill next session *de novo*. An hon. Member had hinted that it would not have been quite so objectionable if the Government had made its selection in a different way, and had not taken up Bills introduced by its own supporters. It was a fact that only one of the three Bills starred was introduced on the Government side of the House. The Land Tenure Bill, by the fortunes of the ballot, was introduced by one who was a supporter of the Government when he sat in this House, but the Town Tenants Bill was introduced by an hon. Member sitting behind him. As they all knew, the Provision of Meals Bill was introduced by a Member sitting on the Labour Benches, and it was the first Bill which passed without a division being challenged. It was sent to a Committee, witnesses were called, and a prolonged inquiry was held. Being a member of that Committee, he followed the Bill through all its stages, and the Member of the Government in charge of the measure when it passed its Second Reading promised that Government time should be given when the Bill returned to the House. This point has been disputed by an hon. Member, but he would remind the House that the right hon. Gentleman the Member for Battersea, gave a definite promise that the Bill should have Government time immediately it returned to the House. Now, when the Government felt that it ought to facilitate the progress of these measures, he was not going to object to their taking hold of a private Bill. He only hoped that they would take hold of private Bills oftener, because one of the most heart-breaking proceedings in the House of Commons in the past had been that private Members could introduce their Bills and get the verdict of the House upon them and then get no further. So far as the Labour Members were concerned, they hoped that the Government would take up such Bills as these, have them starred and push them through. He trusted the Government would not be daunted by this Motion, but persevere with the Bills they had starred, and it would be to their credit if at the end of the autumn sittings they had passed not only those measures for which they were mainly responsible, but also the three measures which they had now taken the responsibility of starring.

MR. MUNRO FERGUSON (Leith Burghs) said it would be fair to remember that some of the opposition to this Bill had come from sources well qualified to deal with it. He agreed, however, that some of the discussion had been unnecessary and some of it selfish. They must not overlook the fact that a very strong opinion had been expressed by the Chambers of Agriculture which consisted of 95 per cent. of tenant farmers. He believed that the Bill which he had drafted and brought in for Scotland went a little further than the measure under discussion. The question was not only one of doing work, but of doing the right work. Although he supported much that was in this Bill, he did not think that it was particularly applicable to Scotland in all respects. It might be quite possible to provide for some of the special needs of Scotland in the Bill, but still he did not think, if that was done, it would be nearly so satisfactory as if it were done by a Bill brought in by the Government. One of the proposals made by the Government itself, and one which he cordially supported, was for the creation of a separate Board or Department of Agriculture for Scotland. He was quite sure if that proposal were agreed to such a board would not apply this Bill to Scotland, but would introduce one much more on the lines suggested by the Scottish Chamber of Agriculture. In all this legislation it would be wise to take a survey of the land question as a whole. As a member of the Small Holdings Committee, he did not think that this Bill traversed to a serious extent the line on which they might advance in regard to small holdings. At any rate, whether in regard to small holdings or any other part of the land question, he thought it would have been better if a Bill had been brought in by the Government next session, when they had received the Reports of the inquiries which were being made by Committees, and after they had taken a survey of the land question as a whole.

MR. WYNDHAM (Dover) said the speech to which they had just listened and the speech of the hon. Baronet the Member for the Chippenham Division would go a long way, although not the whole way, to justify the Motion made by his right hon. friend. But even those two Members did not show that they were seized of the force of the objection which his right hon. friend had raised. The hon. Member for the Leith Burghs had given many excellent reasons why this private Member's Bill should not be "starred." He had pointed out that the Bill could not easily be applied to Scotland. That was just the kind of mistake—if they might call it a mistake—which a private Member living in the South West of England would inevitably fall into. It was not his business to know the form of land tenure which prevailed in Scotland. It was a mistake into which a Minister might fall, but he would be at once corrected by the law officers of the Crown. The matter would go to the legal advisers of the Treasury and such points would be raised weeks, or even months, before leave was asked of the House to introduce a Bill at all. Therefore he was not for a moment reflecting upon the ability of private Members, more especially the Gentleman who was no longer a Member of this House and who was responsible for the Bill in the first instance. The hon. Member for the Chippenham Division had raised the point that it was dangerous to deal with the occupying tenant alone and that the tenants in any rural districts of England were not the whole of the agricultural population. It was not a question of landlord or tenant, but a question of what was best for the agicultural community. He did not intend, however, to speak upon the merits of the Bill. Two supporters of the Government had shown that the Bill ought not to be starred and taken up at the last moment by the Government, but they had fallen into the error of speakers of the Independent Labour Party, inasmuch as they did not see the force of his right hon. friend's contention. His contention was that if the action of the Government were taken in respect of the Bill before them or any Bill which was both controversial and of widespread application, they would have to reconsider the whole practice which obtained in the House with respect to private Members' Bills. That point had not been touched upon and certainly not met by the speeches in favour of the action of the Government. It was inconceivable that they should be content with a three or four hours debate upon a question of such magnitude if it were, after two or three weeks or months, to be taken up by the Government and ranked as a Government measure. That was the objection of hon. Members upon his side of the House, and it had not been touched upon by the two members of the Independent Labour Party, who naturally, if he might say so, attached less importance to matters of precedent than some hon. Members who had been in the House sixteen or twenty years. Their inability to understand the argument was not solely due to the fact that they had not been Members for a long period, but partly to the fact that they had missed the point of the contention. The previous speaker and the hon. Member for Barnard Castle had imputed motives to the Opposition. They had said that he and his friends were not doing what they had professed to do that afternoon, that they were not standing up for the protection of the practice in relation to private Members, but were wasting the time of the House by obstruction in the interests of certain individuals. That was the imputation made by two hon. Members who most earnestly deplored the wasting of the time and work of Parliament, but there could be no more subtle form of obstruction than to prefer and then repeat somewhat discourteous attacks upon Members who for their part only claimed terms of absolute equality with other hon. Members. He thought hon. Members of the Independent Labour Party——

MR. SHACKLETON (Lancashire, Clitheroe): There is no Independent Labour Party in this House.

MR. WYNDHAM said it hardly rested with any member of the Labour Party to denounce any other member for having the interest of a class at heart. By the practice which had prevailed in the House for many years it had been the habit of hon. Members, to whatever class they belonged, to bring forward their arguments to be judged by other Members who were their equals. Every one must belong to one class or another, and might be unduly actuated by the passions and prejudices of his particular class, but hitherto hon. Members had always endeavoured to leave their passions and prejudices at the door, and when they had come to listen to the arguments in this House they had simulated impartiality even if they did not possess it. They had been told that they had no right to complain because some hon. Members who should be present were away amusing themselves. That was not the kind of argument which tended to shorten debate. He supposed the Labour Party would hardly contend that no one should consider a measure except those who agreed with them or the Government, and yet that pretension on the part of the supporters of the Government was being pushed further day by day. It assuredly did not lie in the mouths of the Labour Members to denounce others for having class interests at heart; and it was certainly unwise on the part of the supporters of the Government, and particularly unwise on the part of the Labour Party, to take it for granted that every one who supported the Government must be right, and that any who preferred greater deliberation must be wrong, as well as being actuated by selfish motives. His right hon. friend the Member for South Dublin was absent through illness. Hon. Members might differ altogether from the political views of his right hon. friend, but surely when a question touching the rural life of England was being discussed every Member of the House would be glad to have him present. There were other hon. Members in the House who ought to object to this measure being brought on to-day, because they had not had proper opportunity of preparing themselves for the consideration of the matter. There were some who, rightly or wrongly, believed that the Bill might not improbably prove to be the first step in legislation for this country not dissimilar to the legislation which had been passed for Ireland, legislation which in the long run would involve an immense burden being placed on the credit of the country in dealing first with the farmer and next with the labourer. To be called upon to deal with a Bill of this character after only twenty-four hours notice was the way neither to economise the time of the House nor to aid its smooth working. The Prime Minister had not appreciated that; he had rested his case on the precedent of the Musical Copyright Bill, and he thought the Leader of the Opposition ungenerous because he objected to the "starring" of the Land Tenure Bill, which dealt with the ramifications of the rural life of England and might involve the Imperial Exchequer in an enormous credit draft. He believed that the Labour Party were in favour of land nationalisation. That was a most expensive process. When they gave to certain persons a certain right to property in land they invariably showed that they would like to have the whole property. This Bill was the first step towards the nationalisation of land, and it was not dissimilar to the Act passed for Ireland. In either case it was a Bill of enormous moment; and yet it was compared to the Musical Copyright Bill—a Bill which would have been passed six years ago but for the indomitable confidence in his own view of the hon. Member for Mid Lanark! That put the last touch upon the effrontery with which the Government had disregarded the case put forward by his right hon. friend. The House had not had the least excuse or apology from the Leader of the House for going back on the understanding come to on 4th August. The right hon. Gentleman had said: "That is my case"; but he had not explained how it came to pass that he, the Prime Minister of the country and Leader of the House—they were not concerned with what was going on in another place—did not think it worth his while to say why, seeing that on 4th August he stated that nothing but Government business would be taken in the Autumn sittings, this private Member's Bill was now brought on on a few hours notice. He did not call that a breach of faith; he should describe it in a more complimentary phrase as a colourable transaction. The right hon. Gentleman had changed the colour of his horse in order to qualify in the race. And when they ventured to demur the right hon. Gentleman said "Do you not read Lord Lansdowne's letters to the Peers?" as though there were no rights and privileges of the Lower House. Reference had also been made to a letter written by the Leader of the Opposition in another place and to the speeches made by Lord Carrington. Were they to take their orders of the day at third hand from the impression made on the mind of one Peer from the stump oratory of another Peer, from speeches made by one noble Lord interpreting correctly or incorrectly the speeches of another noble Lord? After all, an understanding was come to with the Members of this House by the Government, and this House ought to stand up for its privileges and dignities.

MR. HUBERT BEAUMONT rose in his place, and claimed to move, "That the Question be now put;" but Mr. SPEAKER withheld his assent, and declined then to put that Question.

*VISCOUNT CASTLEREAGH (Maidstone) said that he proposed to put into practice what hon. Members below the Gangway had advanced in theory, and so would only intervene for a few moments, as he had no desire to prolong this discussion to undue length, but he would like to emphasise the remarks which had fallen from hon. Members on both sides of the House. The conduct of the Prime Minister could only be described as most unjustifiable, and as an unwarrantable endeavour to eliminate the opposition to the Bill. He had always considered that of the arduous duties of the Prime Minister, by no means the least was that of furnishing an example to embryo statesmen, but he considered that in the example which the right hon. Gentleman had set on that occasion he had singularly failed in his duty. The right hon. Gentleman had put forward an example which would prove that the operations of that House had been carried on in a manner which he might call scarcely honest. The arguments put forward by the Prime Minister had materially weakened his own case, because he had said that the right hon. Gentleman in charge of the Plural Voting Bill was unable to be present owing to illness. They on the Opposition side of the House most heartily concurred in the statement that that Bill should therefore be postponed, because it was necessary for the efficient conduct of that measure that the right hon. Gentleman in charge of the Bill, who during the course of the Committee stage had displayed the ability of an expert and a courtesy singularly foreign to the Party to which he had the misfortune to belong, should be in his place on the Treasury Bench. The plea of the Leader of the Opposition that in the absence of the right hon. Member for South Dublin the Land Tenure Bill could not be efficiently discussed, was similar to that put forward by the Prime Minister with regard to the absence of the right hon. Member for Rossendale. No one in the House was more cognisant of the details of the Land Tenure Bill than the right hon. Member for South Dublin, who was unable to take part in the discussion on account of illness. He had every reason to believe that the Government, as a Government, knew very little about the matter dealt with by the Bill. In fact, he did not believe they had gone deeply into the subject. They had brought forward the measure at the instigation of the right hon. Gentleman the President of the Board of Agriculture, whose presence in the Cabinet he deplored perhaps more than the presence of any other gentleman. They all knew the right hon. Gentleman's views; and he believed that the right hon. Gentleman would be handed down to posterity as having a desire rather to be notorious than to bring in legislation for the benefit of the community. He maintained there was no urgency for the Bill, and there was no demand for it. It would be in the recollection of all that the Bill had been brought forward in a very admirable speech by an hon. Gentleman who he regretted was not at present in the House. He always had the opinion that the Land Tenure Bill had been introduced for the purpose of enabling that gentleman to make his maiden speech rather than that the speech was made to introduce the Land Tenure Bill. They all remembered that this Land Tenure Bill had been seconded in an equally brilliant speech by the hon. Member for Barnstaple; but he did not think that anyone with the widest stretch of imagination could look on the hon. Member for Barnstaple as in any sense representative of the interests of the British farmer. He desired to press on the Prime Minister the desirability of reconsidering the decision which he had come to in a somewhat hasty manner. And that for three primary reasons. First of all, there was no urgency and no demand for this measure. It was not desired by any one interested in the industry of agriculture, the welfare of which they all had at heart. In the second place, it was not previously a Government measure. And in the third place, he urged that if the right hon. Gentleman reconsidered his decision he would be exhibiting that spirit of compromise without which it would be impossible to carry on the business of the Assembly in which they sat.

MR. JESSE COLLINGS (Birmingham, Bordesley) said the hon. Member for Leith Burghs had made some remark about a right of way, but there was another consideration, and that was the right of time. He would not pass any remark as to the unfairness of the Government in adopting a private Member's Bill at all, but especially considering the gigantic nature of the subject which had been so suddenly imposed on the House. He himself was a member of the Small Holdings Committee, which was sitting for four hours per day for several days in the week. He believed that they were doing that to oblige the Government; and if they kept on at the present high pressure rate they might produce a Report in some days' time. He put it to the House, if any Member was engaged four or five hours per day in Committee on a particular subject, what time had he to consider a Bill on a similar subject and Amendments to it which he had not seen? All Bills on the land question should be treated as a whole; and the Report of the Small Holdings Committee ought to be in the possession of any one who wished to deal seriously with the question of land tenure. He was particularly interested in one part of the Bill—that which dealt a very unfair blow at the interests of the agricultural labourer—and he would be curious to see how the Labour Members were going to support it. Hon. Members must remember that they had another audience outside that House which would have a great deal to say on this point. He also pressed for a postponement of the Bill on the ground of the absence of the right hon. Gentleman the Member for South Dublin, especially as the Plural Voting Bill had been postponed because of the illness of a Minister. Where was the need for hurry? He urged the Government to withdraw the Bill till they had got all the reports on kindred subjects from the Committees now sitting, otherwise their work would be piecemeal and patchwork. He was aware that the President of the Board of Agriculture was most anxious to get the Bill through. He had been going up and down the country doing a good deal of trumpet blowing, which was being "found out," but he could assure the Government if they pressed the measure forward they would waste the time of the House and the result would be piecemeal legislation.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) said he had been hoping that they would hear a good and satisfactory answer from some member of the Government to the arguments which had been addressed to them. It seemed to him that the only reason why this measure had been brought before the House was to "save the face" of the President of the Board of Agriculture, who had been spending his holiday in the congenial task of going round from one Chamber of Agriculture to another and making the same speech which was everywhere received with the same chilling silence. Having pledged himself, his reputation depended upon this Bill's being adopted by the Government, and he had reverted to that sort of pressure to which the Front Government Bench were so susceptible, based on the principle that he who asked often and asked much was most likely to get it. One argument which had been brought forward he repudiated with the utmost force of which he was capable. They were told that they were wasting time and that it was being done to support their own private interest. He did not care whether this Bill was against his private interest or not, but he did say that it was against the best interests of a large class of the tenant farmers of the country. [Ironical cheers from LABOUR MEMBERS.] He thought that such cheers came from hon. Members with a very bad grace after they had got their Bill from the Government by constant pressure and by never leaving their victims alone. If the expense of maintaining his buildings, etc., was put upon the tenant farmer the Legislature would create a system of dual ownership and breed distrust between landlord and tenant. Hon. Members might say that nothing of the sort would happen, but in cases where landlords had previously done their best for their tenants, if they became disabled through a heavy death duty or other cause from helping them they would take advantage of the clause and the tenants would suffer. He thought this was a Bill which they were bound to oppose, not because it inflicted injury upon the interests of the landlords, but because it would injure tenant farmers. There were a certain number of Members on the Ministerial side who resided in agricultural districts, but the greater number of them did not know that the majority of agriculturists were against the provisions of the Bill. He rose, however, strongly to repudiate the suggestion that those who were opposing this Bill were acting in their own interests; they were doing it in the interests of all classes of agriculturists and not from the unworthy motives attributed to them.

Mr. **WINFREY** (Norfolk, S.W.) said he could not allow the statements of the hon. Member to pass without comment. He had said that there was no one on that side of the House who was competent to represent tenant farmers.

Mr. **LANE-FOX** said he had expressly stated that there were some hon. Members on the Ministerial side who understood agricultural matters, and that would include the hon. Gentleman, who had more knowledge of them than anybody else.

Mr. **WINFREY** said he did not claim to have superior knowledge, but he did claim equal knowledge, and that so far as the tenant farmers of the Eastern Counties were concerned they wanted this Bill and they would be bitterly disappointed if the Prime Minister did not get it through. Deputations of tenant farmers from Essex and Lincolnshire had waited or were about to wait upon the President of the Board of Agriculture in favour of the Bill. From the latter county the deputation represented no less than 600 tenant farmers, and yet the Lincolnshire Chamber of Agriculture, largely composed of landowners and land agents, passed a Resolution against it. They ought to listen to the views of the tenant farmers, and he thought the President of the Board of Agriculture had done good work in going about trying to get views from the tenant farmers of the country. Having been associated with agricultural labourers for the last twenty years, he had no hesitation in saying that there was nothing in the Bill that would prejudice the acquisition of small holdings, and he felt certain that it would be supported by agricultural labourers generally when they came to understand its provisions. It was a Bill to give tenant farmers proper security in their holdings. He would not enter into the question as to the reasons the Government had for taking up the Bill. It was sufficient for him to know that the measure was very much overdue, and he would be very sorry if all the time they had occupied in Committee was thrown away. He trusted they would have an opportunity of dealing fully with the Bill on the Report stage.

Mr. **HUNT** (Shropshire, Ludlow) said the Bill was very badly drafted, and personally he felt that it would do a great deal more harm than good. A great majority of the farmers did not want the Bill at all. He was satisfied that it would not help the labourers or the small holders, and for those reasons he really thought the Government might have had sense enough to withdraw the Bill and bring in another measure next session after giving the matter their very serious consideration. He was sure this measure would not do the Government any good.

Sir **H. CAMPBELL-BANNERMAN** rose in his place and claimed to move, "That the question be now put."

Question put, "That the Question be now put."

The House divided:—Ayes, 356; Noes, 104. (Division List No. 377.)

AYES.

Abraham, Wm. (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud)
Ambrose, Robert
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt.Hn. HerbertHenry
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, JohnEmmott(Somers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn.H.(Eastbourne)
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, W.(T'w'rHamlets,S.Geo.)
Berridge, T. H. D.
Bertram, Julius
Bethell, J. H. (Essex, Romford)
Bethell, T. R. (Essex, Waldon)
Billson, Alfred
Black, ArthurW.(Bedfordshire)
Boland, John
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Brigg, John.
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L.(Lancs., Leigh)

Brunner, Rt.HnSirJ.T.(Chesh.)
Bryce, Rt.Hn.James(Aberdeen)
Bryce, J.A.(Inverness Burghs.)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Chance, Frederick William
Channing, Francis Allston
Cheetham, John Frederick
Churchill, Winston Spencer
Clarke, C. Goddard
Clough, William
Coats, Sir T.Glen(Renfrew, W.)
Cobbold, Felix Thornley
Collins, SirWm.J.(S.Pancras,W
Cooper, G. J.
Corbett,CH.(Sussex,E.Grinst'd
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crosfield, A. H.
Crossley, William J.
Dalmeny, Lord
Dalziel, James Henry
Davies, David(MontgomeryCo.)
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Ed'nburgh, S.)
Dickinson, W.H.(St.Pancras,N
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Flynn, James Christopher
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gardner, Col. Alan(Hereford,S.
Gibb, James (Harrow)
Gilhooly, James

Gill, A. H.
Ginnell, L.
Gladstone, RtHn. HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gurdon, Sir W. Brampton
Hammond, John
Hardie, J.Keir(MerthyrTydvil)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope, W.Bateman(Somerset,N
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jacoby, James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, SirD.Brynmor(Swansea)
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Lever, W.H. (Cheshire, Wirral)
Levy, Maurice
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Macdonald, J.M.(FalkirkB'ghs)
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.

Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M‘Callum, John M.
M‘Crae, George
M‘Kenna, Reginald
M‘Killop, W.
M‘Laren, H. D. (Stafford, W.)
M‘Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd(Carmarthen)
Morley, Rt. Hon. John
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Norman, Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Grady, J.
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearson, W.H.M.(Suffolk,Eye)
Perks, Robert William
Philipps, Col. Ivor(S'thampton
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Price, RobertJohn(Norfolk, E.)
Priestley, W.E.B.(Bradford,E.)
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan

Renton, Major Leslie
Richards, Thos. (W. Monm'th)
Richards, T.F.(Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F.(Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn A.Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, SirEdward(Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A.(Glamorgan, E.)
Thomas, DavidAlfred(Merthyr)
Thomasson, Franklin
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Villiers, Ernest Amherst
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir JohnL.(Leeds, S.)
Ward, John (Stoke upon Trent)
Ward W. Dudley(Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
Weir, James Galloway
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williams, Llewelyn(Carmarthn
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon.C.H.W.(Hull, W.)
Wilson, Henry J.(York, W. R.)
Wilson, J.W.(Worcestersh., N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Woodhouse,SirJ.T.(Huddersf'd
Young, Samuel

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Balcarres, Lord
Baldwin, Alfred
Balfour, Rt.HnA.J.(CityLond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael HughHicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Carlile, E. Hildred
Carson, Rt. Hn. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt.Hn.Victor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt.Hn.J.A.(Worc
Coates, E.Feetham (Lewisham)
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis(Antrim, S.)
Craig, Captain James(Down,E.
Craik, Sir Henry
Cross, Alexander
Dalrymple, Viscount
Dixon-Hartland, SirFredDixon
Douglas, Rt. Hon. A. Akers-
Duncan, Robert(Lanark,Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibb, James (Harrow)
Haddock, George R.
Hambro, Charles Eric
Hardy,Laurence(Kent,Ashford
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Helmsley, Viscount
Hervey, F.W.F.(BuryS.Edm'ds
Hill, Sir Clement(Shrewsbury)
Houston, Robert Paterson
Hunt, Rowland
Kenyon-Slaney, Rt. Hn.Col.W
Keswick, William
Kimber, Sir Henry
King, SirHenrySeymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Liddell, Henry
Long, Col. Chas. W. (Evesham)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacIver, David (Liverpool)
M'Calmont, Colonel James
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Muntz, Sir Philip A.
Nicholson, Wm. G. (Petersfield
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pease, HerbertPike(Darlington
Randles, Sir John Scurrah
Rawlinson, John FrederickPeel
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marbleyone, W.)
Smith, Abel H. (Hertford,East)
Smith, F.E.(Liverpool, Walton
Smith, Hon. W. F. D. (Strand)
Stanley, Hn. Arthur (Ormskirk
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot,Rt.Hn.J.G.(Oxf'dUniv.
Thomas, W. Mitchell-(Lanark)
Thornton, Percy M.
Turnour, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid.)
Wilson, A. Stanley (York,E.R.)
Wortley, Rt.Hon.C.B.Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Question put accordingly, "That the further consideration of the Bill, as amended, be now adjourned."

The House divided :—Ayes, 115 ; Noes, 341. (Division List No. 378.)

AYES.

Balcarres, Lord
Baldwin, Alfred
Balfour, Rt.Hn.A.J.(CityLond
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.
Beach, Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Carlile, E. Hildren
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt. Hn. Victor C.W
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain,Rt.Hn.J.A.(Worc
Chance, Frederick William
Coates, E. Feetham(Lew'sham)
Cochrane, Hon. Thos. H. A. E.
Collings,Rt.Hn.J. (Birmingham
Corbett, T. L. (Down, North)
Cory, Clifford John
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Dalmeny, Lord
Dalrymple, Viscount
Dixon-Hartland, SirFredDixon
Douglas, Rt. Hon. A. Akers-
Duncan,Robert (Lanark,Govan
Fell, Arthur
Ferguson, R. C. Munro
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hambro, Charles Eric
Hardy, Laurence(Kent,Ashford
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Helmesley, Viscount
Hervey, F.W.F.(Bury S.Edm'd
Hill, Sir Clement (Shrewsbury)
Hobart, Sir Robert
Houston, Robert Paterson
Hunt, Rowland
Kenyon-Slaney, Rt.Hn.Col.W.
Keswick, William
Kimber, Sir Henry
King, Sir HenrySeymour(Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Liddell, Henry
Long, Col. Chas. W. (Evesham)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacIver, David (Liverpool)
M'Calmont, Colonel James
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Muntz, Sir Philip A.
Nicholson, Wm. G. (Petersfield)
Nussey, Thomas Willans
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Paulton, James Mellor
Pease, HerbertPike(Darlington
Randles, Sir John Scurrah
Rawlinson, John FrederickPeel
Remnant, James Farquharson
Renton, Major Leslie
Roberts, S. (Sheffield, Ecclesall
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F. E.(Liverpool,Walton
Smith, Hon. W. F. D. (Strand)
Stanley, Hn. Arthur (Ormskirk
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot, Rt.Hn.J.G.(Oxf'dUniv
Tennant, SirEdward(Salisbury
Tennant, H. J. (Berwickshire)
Thomson, W. Mitchell-(Lanark
Thornton, Percy M.
Turnour, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid)
Whitbread, Howard
Wilson, A.Stanley(York, E.R.)
Wortley, Rt. Hn. C. B. Stuart
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Sir Alexander Acland-Hood and Viscount Valentia.

NOES.

Abraham, Wm. (Cork, N. E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud)
Ambrose, Robert
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt.Hn.HerbertHenry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, JosephA.(Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow,JohnEmmott (Somers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. H. (Eastbourne
Beaumont,Hn.W.C.B (Hexham
Bell, Richard
Bellairs, Carlyon
Benn, W.(T'w'rHamlets,S.Geo.
Berridge, T. H. D.
Bethell, J.H. (Essex, Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Arthur
Black, Arthur W. (Bedfordshire
Boland, John
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L.(Lancs.,Leigh)
Brunner,Rt.HnSirJ.T.(Cheshire
Bryce, Rt.Hn.James(Aberdeen
Bryce, J.A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Channing, Francis Allston
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, Sir T.Glen (Renfrew, W.)
Cobbold, Felix Thornley
Collins, Sir Wm.J.(S.Pancras,W
Cooper, G. J.

Corbett, C.H.(Sussex,EGrinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crosfield, A. H.
Crossley, William J.
Dalziel, James Henry
Davies, David(MontgomeryCo.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H. (St.Pancras,N
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorMartinE.(Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Flynn, James Christopher
Fowler, Rt. Hon. Sir Henry
Fuller, John Michael F.
Fullerton, Hugh
Gardner, Col. Alan (Hereford,S
Gibbs, G. A. (Bristol, West)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hr.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Hammond, John
Hardie, J.Keir (MerthyrTydvil
Hardy, George A. (Suffolk)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope, W.Bateman(Somerset,N
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D.Brynmor(Swansea
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kennedy. Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Lever, W.H. (Cheshire,Wirral)
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G.Croydon(Launceston)
Markham, F. J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morley, Rt. Hon. John
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Chas. N. (Doncaster
Norman, Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Grady, J.
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearson, W.H.M.(Suffolk, Eye)
Perks, Robert William
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Price, C. E. (Edinb'gh,Central)
Price, RobertJohn(Norfolk, E.)
Priestley, W.E.B.(Bradford,E.)
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W.Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, John (Lancashire)
Samuel, Herbert L. (Cleveland)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.

Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thomasson, Franklin
Thorne, William
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Villiers, Ernest Amherst
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
Weir, James Galloway
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williams, Llewelyn-(Carmarth'
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Henry J. (York, W. R.)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Woodhouse, Sir J. T. (Huddersfd
Young, Samuel

Tellers for the Noes—Mr. Whiteley and Mr. J. A. Pease.

Mr. ABEL SMITH, who was indistinctly heard, moved an Amendment to Clause 1 to provide that all notices under the Act should be in writing. He was understood to say that under the second sub-section of the first clause it was laid down that all questions under the Agricultural Holdings Act or this Act which were to be settled by arbitration were to be settled by a single arbitrator, and therefore all the important matters brought within the purview of the Agricultural Holdings Act for the first time would come under the rules of arbitration laid down in the Act of 1900. Perhaps the Solicitor-General would be able to tell them whether that provision covered other matters. For instance, the fifth clause dealt with very difficult questions indeed. Questions of compensation for disturbance would have to be dealt with by a single arbitrator, and he was sure the representative of the Government now in charge of the Bill would agree that such important matters required very careful treatment. He did not believe that under the Act of 1900 it was absolutely certain that the claim should be made in writing. In future he thought it should be made perfectly clear that all these notices should be in writing, and he begged to move.

Sir FREDERICK BANBURY seconded the Amendment. It could not do any harm as the only effect of it would be that both parties would know exactly what was going on. In the case of verbal notices one party might forget or not understand, and in matters like this it was absolutely essential that everything should be clear and that there should be no misunderstanding between landlord and tenant.

Amendment proposed—

> "In page 2, line 4, at end, to add '(3) "All notices given under this section shall be in writing.'"

Question proposed, "That those words be there added."

The SOLICITOR-GENERAL (Sir W. Robson, South Shields) said the section itself did not specifically contain any reference to this matter, but it referred to the Act of 1900. Therefore this Amendment would affect notices under the Act of 1900. Under that Act certain notices must be in writing, but there were other minor notices which need not be in writing. He thought that in a great majority of cases the parties would desire to give notice, and would prefer that such notice would be in writing. If there were any strained relations between a landlord and his tenant the tenant would certainly prefer to give notice in writing. On the other hand, there were many cases in which the relations of landlord and tenant were of a friendly character and notices were not necessary in regard to some matters. In the interests of greater elasticity and in order to avoid technical hardships it was thought better to leave the provision as to notices the same as it was under the Act of 1900. He thought they should be left as they were under that Act, because they had worked satisfactorily and no complaint had been received in regard to them.

Sir E. CARSON (Dublin University) said the Solicitor-General apparently had not realised that under this sub-section all the claims under the Act would be brought in. The section was laying down what in England was a novel claim, namely, the claim for unreasonable disturbance made under the fifth section. He suggested to the Solicitor-General that it would be almost impossible to adjudicate upon a question of what should be paid for unreasonable disturbance without having obtained proper particulars in writing from both parties to the dispute. In the Irish Act dealing with this subject there were most elaborate provisions as to how the case was to be brought into Court.

Captain CRAIG (Down, E.) remarked that it had been said that where friendly agreements were arrived at it was unnecessary to have the notice in writing, and that such written agreements would perhaps be to the detriment of one or the other party. From his experience, and he was sure this was the experience of other Members who represented rural constituencies, no more harmful thing could be done than to pass word with regard to agreements from the landlord to the tenant or from the tenant to the landlord or his agent. Difference often arose in regard to what had been said, sometimes unwillingly, sometimes not. Undoubtedly it was far more satisfactory, no matter how friendly the relations might be between the landlord and the tenant, that the notice of claim of compensation should be in writing. He urged the Government at the outset of the discussion to consider favourably the Amendments that were proposed, for they had been most carefully prepared with the view of making the Bill workable. He did not speak any more for landlords than for tenants. There had recently been very costly litigation simply in consequence of the fact that when an agreement was about to be arrived at word was spoken that it was "all right." If that "all right" had been transferred to paper a great deal of ill-feeling, trouble, and annoyance which had occurred in connection with land legislation in Ireland would have been avoided. He hoped those who were now plunging into similar legislation for England would benefit by that experience. The Government would do well to adopt this innocuous Amendment, which would do the Bill no harm, but would rather improve it.

Mr. COCHRANE (Ayrshire, N.) hoped the hon. Gentleman would not persist in his opposition to this useful Amendment, which might be a very substantial improvement. It would not be fair that a tenant of a large farm having made a large improvement should not give proper notice in writing in his dealings with his landlord. The hon. Gentleman himself insisted upon notice in regard to compensation. It seemed most unreasonable not to accept an Amendment which would provide that notices in writing should be given.

*Sir EDWARD STRACHEY (Somersetshire, S.) said these notices were absolutely unnecessary in all cases. They were introduced under the Act of 1900 at the instance of the Party opposite, and they were now only following the same precedent by refusing to make any alteration. What was good enough for the 1900 Bill ought to be good enough for this Bill.

Mr. A. J. BALFOUR thought the Government were making a mistake in starting this discussion in the manner in which it had been started by the Solicitor-General and the hon. Baronet. They only appeared to have one argument, and it was that they were following the Act of 1900. It certainly was gratifying to find that the were following the example of a Conservative Government in this matter, and he was sorry they were not following them in other respects. When analogous subjects were brought forward in connection with Irish legislation most careful precautions were placed round the provisions. The idea of leaving the question undealt with other than by writing never crossed the minds of the framers of that legislation. No reason had been given why the Government should adhere to this obstinate attitude.

Under this Bill the controversies between landlord and tenant would go before what was to all intents and purposes a Court. It was a Court which took the form of a single arbitrator, and he thought it would be absurd not to provide that the disputes should come up in a formal shape having a binding effect on both parties. In the ordinary course of estate management this practice of reducing notices to writing was habitually followed. Why the Government should refuse this simple Amendment he could not comprehend. Was the hon. Gentleman in charge of the Bill going into the discussions on the Report stage with the determination to oppose any Amendments which modified in any degree the letter of a Bill which he did not frame, for which he was not responsible, and for part of which, he supposed, he was ashamed? Why was he going to give to the House and the country the impression that he would oppose everything whether good or bad, without offering a single reply against the arguments adduced by the Opposition? He submitted that if the Government wished the happy passage of the measure through the House they ought to accept Amendments which were harmless, and which hon. Members on that side thought were important to the proper conduct of the delicate relations between landlord and tenant in this country.

COLONEL KENYON-SLANEY said the hon. Gentleman opposite had stated that a great many of these arrangements would be on a friendly footing. Was it not exactly in the arrangements between friends that they ought to be most formal? There were many cases in which friendships were broken for want of formality in business relations. He asked the hon. Gentleman to look at the matter from that point of view, and to accept the Amendment.

MR. GUEST (Cardiff District) appealed to the Government to yield the small concession asked for, on the ground that the measure made a great alteration in the relations subsisting between landlord and tenant. It was surely a small thing to ask that the notice should be placed in writing and recorded. Conciliatory action on the part of the supporters of the Bill would do a great deal to satisfy those who did not regard it as the best possible measure for dealing with the agricultural situation.

MR. CAVE (Surrey, Kingston) thought that one of the things that ought certainly to be made in writing was a claim for compensation for improvement. He cited the procedent of Section 16 in the Irish Land Act of 1870 in favour of the Amendment.

THE SOLICITOR-GENERAL FOR SCOTLAND (Mr. URE, Linlithgowshire) said he was surprised to hear the Leader of the Opposition say that the only reason for the action of the Government was that they were following the precedent of the Act of 1900. That would be, he quite agreed, an insufficient reason. Let the right hon. Gentleman remember that there had been six years' experience of the working of the Act of 1900, and no one had got up to say that that experience supported the claim in favour of writing. Under the Act of 1883 a claim in writing had to be made, but the provision was deliberately struck out in the Act of 1900. The reason for that was obvious. It would be a very hard thing on the tenant to be told when he went before the arbitrator that his claim was barred because he did not give notice of it in writing at some time anterior. All claims under the game clause must be given within a reasonable time after the claim arose. If this Amendment had suggested that the notice anterior to the arbitration must contain certain particulars he could have understood it, but it was to be a notice in the most general terms and therefore the Amendment would serve no good purpose.

*VISCOUNT HELMSLEY joined issue with the learned Solicitor-General for Scotland as to the experience acquired since the passing of the Act of 1900. It was that experience which ought to lead the House to insert these words in the present Bill. There was no doubt in the world that the omission of these words from that Act had been found to be a very serious drawback. No other business relations in the world were carried out by word of mouth, and therefore it seemed to him to be rather peculiar that in the matter of agriculture it should be deemed unnecessary to have notice in writing in making a claim such as might be made under that Bill. Necessary as such written agreements had been found to be since 1900, when this Bill came into force they would be found to be more necessary still. In another part of the Bill itself it was provided that a notice of claim must be in writing. Why then, if it were admitted in one instance, was it not also admitted in all cases of claims that might be made under the Bill?

Question put.

The House divided. Ayes, 88; Noes, 323. (Division List, No. 379.)

AYES.

Acland-Hood, Rt.Hn.SirAlexF
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael HughHicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt. Hn.Victor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R.(Marylebone, E.)
Chamberlain, Rt.Hn.J.A.(Worc
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingham
Corbett, T. L. (Down, North)
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Dalmeny, Lord
Davies, David(MontgomeryCo.
Dixon-Hartland, SirFredDixon
Douglas, Rt. Hon. A. Akers-
Duncan,Robert (Lanark,Govan
Fell, Arthur
Ferguson, R. C. Munro
Finch, Rt. Hon. George H.
Forster, Henry William
Freeman-Thomas, Freeman
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hambro, Charles Eric
Hardy, Laurence(Kent,Ashford
Harrison-Broadley, Col. H. B.
Hedges, A. Paget
Herbert, Col. Ivor (Mon., S.)
Hervey, F.W.F.(Bury S.Edm'd
Houston, Robert Paterson
Hunt, Rowland
Kenyon-Slaney, Rt. Hn.Col.W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Pease, HerbertPike(Darlington
Randles, Sir John Scurrah
Rawlinson, JohnFrederickPeel
Remnant, James Farquharson
Roberts, S.(Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Smith, F. E. (Liverpool, Walton
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Tennant, SirEdward(Salisbury
Thomson, W.Mitchell-(Lanark)
Valentia, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid.)
Whitbread, Howard
Wilson, A. Stanley(York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George

TELLERS FOR THE AYES—Mr. Abel Smith and Viscount Helmsley.

NOES.

Abraham, Wm. (Cork, N. E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A.(Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, JohnEmmott(Somerst
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hn.H.(Eastbourne
Beaumont,Hn.W.C.B.(Hexh'm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Belloc, Hilaire Joseph Peter R.
Benn, SirJ.Williams(Devonp'rt
Bertram, Julius
Bethell, J.H.(Essex,Romford)
Bethell, T. R. (Essex, Maldon
Billson, Alfred
Black, Arthur W.(Bedfordshire
Boland, John
Bolton, T.D.(Derbyshire, N.E.)
Boulton, A. C. F. (Ramsey)
Brace, William
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L.(Lancs.,Leigh)
Brunner, Rt.Hn.SirJ.T.(Chesh.
Bryce, Rt.Hn.James(Aberdeen
Bryce, J.A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cawley, Frederick
Chance, Frederick William
Channing, Francis Allston
Cheetham, John Frederick
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, SirT. Glen(Renfrew, W.
Cobbold, Felix Thornley
Collins,SirWm.J.(S.Pancras,W.
Corbett, C.H.(SussexE.Grinstd
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J.(Tynemouth)
Crombie, John William
Crooks, William
Crosfield, A. H.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William

Dewar, Arthur (Edinburgh, S.)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Flynn, James Christopher
Fowler, Rt. Hon. Sir Henry
Fuller, John Michael F.
Fullerton, Hugh
Gill, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone, RtHn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Hammond, John
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hemmerde, Edward George
Henderson, Arthur Durham)
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope, W.Bateman(Somerset,N
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, SirD.Brynmor(Swansea
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich
Lever, W.H. (Cheshire,Wirral
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.
MacVeigh, Charles (Donegal,E.
M'Callum, John M.
M'Crae, George
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G.Croydon(Launceston)
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morley, Rt. Hon. John
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Chas. N. (Doncaster
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Grady, J.
O'Kelly, James(Roscommon,N.
O'Malley, William
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearson, W.H.M.(Suffolk, Eye)
Perks, Robert William
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C, (Pembroke)
Pollard, Dr.
Price, C. E. (Edinb'gh,Central)
Price, RobertJohn(Norfolk, E.)
Priestley, W.E.B.(Bradford,E.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thos, (W. Monmouth
Richards, T. F. (Wolverh'mptn
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Abel (Carmarthen, E.
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred(Merthyr
Tomkinson, James
Torrance, Sir A. M.
Ure, Alexander
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Ward, John(Stoke-upon-Trent)
Ward, W.Dudley(Southampton

Wardle, George J.
Wason, Eugene (Clackmannan
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
Weir, James Galloway
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarth'n
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. C. H. W. (Hull, W.)
Wilson, Henry J. (York, W. R.)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. NUSSEY (Pontefract) said that the object of the Amendment standing in his name was to cheapen arbitration under the Bill. He thought that all parties were agreed that the number of arbitrations, instead of landlord and tenant settling matters, as formerly, by mutual agreement, were increasing. It was therefore desirable to make these arbitration proceedings as cheap and simple as possible, in the interest of both the landlords and the tenants. The scheme which the Government had adopted at the eleventh hour was that by the second sub-section of the first clause of the Bill all cases of dispute between landlord and tenant should be determined by a single arbitrator, in accordance with the provisions set out in Part I. of the Second Schedule to the Agricultural Holdings, Act, 1900. That scheme was received with such disfavour in the country that only three members of the Chamber of Agriculture supported it while the remainder of the members of the Chamber voted against it. He ventured to think that the scheme would not be a success in cheapening arbitration, but would rather increase its cost. How could a poor fármer put his case before a single arbitrator in competition with his landlord unless neither party were represented at the arbitration by counsel or solicitor? He believed that in many cases the small tenant farmer would go to that small and decreasing class of pettifogging solicitors whose interest it was to promote litigation by every means in their power. It was in order to obviate those difficulties that, in the interest of the tenant who was often a poor man, that he moved his Amendment.

*MR. EVERETT (Suffolk, Woodbridge) seconded the Amendment and thought that the object which it had in view would commend itself to everyone. Its aim was that the valuation necessary when a new tenant came or the landlord took a farm over himself should be as simple and inoffensive as possible. In the county in which he lived they were perfectly satisfied with the practice which had hitherto been adopted. The parties each appointed a valuator, and if they did not agree they appointed an umpire whose decision was to be final. The object of the Government in saying that there should be only a single arbitrator was, he supposed, to prevent the matter from going into the Courts of law. If that was so, it was a commendable object on their part, but he understood that often if counsel were employed, arbitrations were more expensive than going to a Court of law. They did not want to have counsel and lawyers mixed up with their valuations at all, and the Amendment which had just been moved would make it clear that their valuations when farms changed hands would not be attended by the necessity of employing either solicitor or counsel, because if they were employed by the rich landlord the tenant would be at a great disadvantage if he could not employ them himself. For himself he would like to see the Amendment stop at the word "solicitor," so that it would read "neither party shall be represented at the arbitration by counsel or solicitor." The latter part said that they should not appear unless the claim or counterclaim should exceed in amount the sum of £50. He did not think that they wanted a solicitor or counsel in regard to any sum of money when a farm changed tenants.

Amendment proposed—

"In page 2, line 4, at end to add the words 'neither party shall be represented at the arbitration by counsel or solicitor unless the claim or counterclaim shall exceed in amount the sum of £50.'"—(*Mr. Nussey.*)

Question proposed, "That those words be there added."

*SIR EDWARD STRACHEY (Somersetshire, S.) said that of course everyone would wish that these arbitrations should be carried on in the most simple way possible, and the hon. Member was right in saying that these arbitrations had been conducted in his county in this way and he thought in time that there would be no difficulty in carrying them out in a more economical way. Each party would proceed by his valuer as he was doing at present, and it would only be in case of difference that an umpire would be called in. They had already settled the question whether there should be one or two arbitrators, and the question at present was whether either party should be forbidden to be represented before the arbitrator either by counsel or solicitor. Although at the first blush it might seem a reasonable Amendment, he thought that when it was carefully considered it would be seen that cases might easily arise where the amount of the claim was under £50 and even only £15 or £20, but the point at issue might be a very complicated one in regard to which it would be advisable to employ a solicitor or counsel to argue for the landlord or the tenants. This sum of £50 would only be applicable in the case of small owners who would be the last men capable of standing up and arguing against the landlord. Then again in the interest of the landlord, it might be a case of the trustees or executors of landlords who might say "We cannot take upon ourselves the responsibility of arguing this case. We must have legal advice." Or there might be the case of a widow who was not able by herself or her trustees to appear before the arbitrator and might desire the appearance of a solicitor or counsel. In the majority of cases he thought these would not be needed, but there might be hard cases, both in regard to a landlord and also in regard to a small tenant, and it was the small tenant they had to look after in this matter. Therefore it was necessary that they should give some freedom of choice in the matter. and there was no reason why any restriction should be put into the Bill. For that reason he was obliged to resist the Amendment of his hon. friend the hon. Member for Pontefract.

MR. A. J. BALFOUR inquired whether the Government were not in a very inconsistent position. They had simplified the Court by weakening it, and to simplify the Court and not to simplify the procedure before it was unreasonable. What they wanted was to simplify the tribunal and reduce the expense. The hon. Baronet in charge of the Bill had said that although the matter might be small in regard to the money involved it might be extremely complex, that the small holder might not be able to state his case before the tribunal, and that although the sum might be only £15 or £20 he must be allowed to bring in the services of a professional adviser. But how much of the £15 or £20 would remain after he had paid his professional advisers? If the arbitrator was worth anything he would be a man who understood agricultural affairs, and he would find no difficulty in seeing the point put by the tenant whether the tenant was big or small. It seemed to him almost inconceivable that the arbitrator called in under this Bill, even in the case of a relatively poor tenant explaining his case, would say "I do not understand what you are talking about; you are unable to put your case before me and I decide against you." Such things did not happen. The Government appeared to contemplate that both parties would be represented by solicitors and counsel to deal with complicated questions which touched only small sums of money. Whom was that going to benefit? It was going to benefit the counsel and the solicitors, but this Bill was not intended for them nor primarily for their advantage. Who was the next party it would benefit? It would benefit the wealthy and litigious landlord in a contest with a small tenant. The case would be decided in favour of the person whose purse was long enough to secure a decision in his favour. It seemed to him one of the anomalies in our social system that justice so often went in favour of the rich man who could afford to employ gentlemen of legal capacity which the poor man could not do. That state of things might be necessary, and no one had seen his way to deal with it, but when they were dealing with arbitrators whose duty it was to decide these simple cases of landlord and tenant, why should they introduce all the complications of our legal system from which we could not free ourselves in the Courts of the country? He thought both landlords and tenants would suffer if the first clause were kept as it was, but the class who would suffer least were the class whose purses were the longest—the class which could afford to pay for the argument of these complex cases which it was said must come before the arbitrator. He did not know to what class of complicated cases the hon. Baronet referred. He only took his words. He thought it was in the interests of every party except gentlemen of the long robe, not only that we should have a simpler tribunal, but that we should have a simpler procedure.

SIR W. ROBSON said the declarations of the right hon. Gentleman would be serious and alarming if they were not dealt with in the light of experience. The right hon. Gentleman when he was at the head of the Government did not think it necessary to introduce any disabling section into his Act of 1900. He should like to know in how many cases under that Act those whom the right hon. Gentleman described as gentlemen of the long robe had been brought in. There were very few cases in which counsel did appear, and there were a great many reasons why counsel did not appear upon matters involving claims for less than £50. It was said that the landlord might avail himself of costly legal advice to the detriment of the unhappy tenant. But experience showed that during the last few years it had not been the practice to introduce solicitors, and certainly not counsel into cases involving small claims. In cases where the tenant did not wish to appear for himself, or could not appear, was he to be debarred from having a representative while the landlord would be entitled to employ his agent ? It was not proposed that while the landlord was to be able to employ any agent he pleased, the tenant should be deprived of his choice of agent. He might prefer a valuer, but if he thought the case was one in which a local solicitor whom he knew would better serve his purpose than a valuer whom he did not know, it was not proposed to deprive him of that choice. During the last six years under the Act of the right hon. Gentleman these evils had not arisen, and the Government did not anticipate that they would arise in the future under this Bill. What had happened in the past would happen in the future, each party would probably have a valuer. It had been said that the tribunal had been simplified on the face of it and should be simplified in fact. The present system was for each party to appoint an arbitrator, and the two arbitrators if they could not agree appointed an umpire, so that in the arbitrators each party really had his own agent. That was the system which in substance would prevail in the future. An agent would be appointed by the tenant, but not as an arbitrator, and there was every reason why, if the tribunal was so simplified that there would be only one arbitrator, the tenant should have the choice of an agent.

*MR. WHITBREAD (Huntingdonshire, Huntingdon) expressed the hope that the discussion would not close before some Member on the front Bench had given an opinion upon a matter in regard to which there was considerable doubt. A great deal of apprehension had been felt as to whether this section of the Bill, which was intended to simplify and cheapen procedure, would not have the opposite effect. Under the Acts of 1883 and 1900 it was the custom of each side to appoint an agent, and when those agents, who were generally valuers, were unable to come to an agreement, for them to appoint an umpire. In the large majority of cases, however, which had to be decided under this method, a satisfactory conclusion was arrived at by the two valuers without recourse to an umpire. The question arose whether under the system which this Bill provided it would be possible for a satisfactory conclusion to be arrived at between the two agents without any recourse being had to the arbitrator. There appeared to be some uncertainty with regard to that. That was a point which he thought ought to be made quite clear, because on reading the text of the Bill it did not appear whether it would, or would not be necessary in all cases to appoint three persons to adjudicate. On the face of it he was inclined to support the Amendment, because it would appear that it would cheapen the procedure, which was going to be much more costly in the future than it had been in the past.

MR. HICKS-BEACH (Gloucestershire, Tewkesbury) joined in the appeal of the hon. Member that this interesting point should be cleared up, because great objection had been raised by the Chambers of Agriculture throughout the country to

Clause 1, which said that all cases should be determined by a single arbitrator. The custom in the past had been for each party to appoint their own valuer, who settled the claims between the parties. Under this section it would be necessary for a third person to be appointed, who would be over the two agents. Had the promoters of this Bill used a little discretion last session they would have been well advised to drop this section. It had given rise to great animosity throughout the country, and had it been dropped it would have disarmed opposition at that time and would have rendered it unnecessary for anyone to raise the particular Amendment now before the House. Reference had been made to the Act of 1900, but that Act was not very material to this matter, because it dealt only with the improvements of a holding by the tenants. This Bill went further. Here the arbitrator would have to decide not only the extent of the improvements made by the tenant, but also the amount of damage that had been done to the holding by game. He would also have to decide whether the cause for disturbance was reasonable or unreasonable. He defied any valuer in the country to give a proper definition of reasonable disturbance, and unless some Amendment of this kind was put into the Bill he thought the number of cases in which the rich landlord would employ the most learned counsel he could in order to settle whether the disturbance was reasonable or not would be very great indeed. The tenant, by reason of the length of his purse, would not be able to enjoy the same facilities, and in order to set this matter on a reasonable basis there should be some such Amendment as was proposed. He should be pleased to support the Amendment, because he believed it was a step in the right direction and in the direction of economy. His only doubt was whether it went far enough, and whether they ought not to leave out the latter part of the Amendment, because in the larger cases the rich landlord would have a larger pull over the tenant than he ought to have.

*MR. LEIF JONES (Westmoreland, Appleby) said he could not but think the hon. Member who had just spoken had to some extent forgotten what the Amendment was. He had delivered a speech to prove that the present Bill was most complicated. That seemed to point to the necessity of employing rather than excluding lawyers. If the case was simple laymen might settle it, but if questions of law came before the arbitrator it might be necessary for him to have lawyers before him to decide it. The more complicated the Act from a legal point of view the more necessary became the assistance of lawyers. No case, in his opinion, had been made out for the Amendment now before the House. He did not think it would benefit the tenant to rule out a counsel and solicitors. On the contrary he thought it probable that tenants would suffer, and landlords perhaps benefit by the proposed limitation, but he did not think any case had been made for limiting the freedom of choice of either party. He imagined that the procedure in the future under this Act would be the same as that with which they were all familiar at present. If there were really any doubt about the two parties being able to come to a settlement without an appeal to an arbitrator, he thought the Government would insert words in the Bill to ensure that being possible. To his mind, however, it was clear that there was nothing to prevent two valuers coming to an agreement which would be binding on both parties, without reference to an arbitrator, who would only be called upon to act in the event of disagreement between the valuers. This being so, he saw no advantage in adding the words proposed, and he hoped the Government would resist the Amendment.

MR. MUNRO FERGUSON said the real question underlying this discussion was the cost of arbitration, which was really a very serious burden on argriculture. As to having one arbitrator, he would be very strongly opposed to any change in that matter so far as Scotland was concerned. One of the reasons which made it so difficult to combine Scotland and England in one Bill was that in the former country they wanted one arbitrator, while in England the system prevailed of calling in two friends who very often settled the matter in dispute. He did not know that he altogether agreed, however, with the Amendment. If counsel and solicitor were prohibited as proposed, there would be nothing to prevent advisers from consulting solicitor and counsel, and he did not think any expense would be saved. That was a point that could not be entirely dismissed from the consideration of the Government, but if this clause did not carry out the object for which it was intended he certainly did not think the Amendment would do so. If the representative of the Board of Agriculture would undertake to limit the costs of arbitration he should be in favour of everything being submitted to arbitration as between landlord and tenant. If there were an unlimited number of arbitrations the burden on agriculture would be so heavy that something would have to be done by the Government to reduce the costs. The Government would be living in a fool's paradise if they thought that by merely limiting the number of arbitrations they would be thereby doing good to owners or occupiers. If arbitrations were not good in themselves it was because of the cost, which agriculture could ill bear. He was not at all sure that this particular Amendment would meet the point, which he regretted had not received a little more consideration from the Government before they adopted the Bill.

MR. COCHRANE said everyone would agree with the hon. Gentleman who had just spoken in deprecating the piling up of expenditure upon landlords and tenants. This Amendment would strike at a class of lawyer they were all too familiar with, namely, what was called the pettifogging solicitor. Hon. Members had only to read the records of the Departmental Committee on Workmen's Compensation to see how the pettifogging lawyer dragged the unfortunate claimant from one Court to another. He believed the same class would push their way into these arbitrations. If, as the Government said, this was a Bill to reduce expenditure and facilitate the working of the land system, let them curb this class of solicitors, so that in small claims under £50 or £100 they would not be able to extract their blood money. Those who were best acquainted with the tenants, such as the hon. Member for the Woodbridge Division, and the hon. Member for Huntingdonshire, took the view that in the interests of tenants it was desirable that an Amendment of this kind should be carried. Those who took the opposite view took the professional view, which was that no transaction in this country could be properly carried out unless a member of the legal profession was consulted on every point.

MR. LEIF JONES: My view is not professional.

MR. COCHRANE: I only said the hon. Member was speaking from the professional view.

MR. LEIF JONES: I am not a lawyer.

MR. COCHRANE said the hon. Member stated his case so clearly that he forgot for the moment that he was not a lawyer. At any rate, if they gave the loophole, as this Bill would, to pettifogging lawyers, all sorts of questions of detail would be raised. There ought to be some simple method of settling differences, and, after all, there were the Courts of law for the purpose of settling legal questions. Arbitration at the best was only a substitute for law, and a very inefficient substitute, and if these cases were to be argued by counsel or solicitor why not send them to the Courts? The Amendment was one of a moderate and reasonable character. At least he would ask the Government to state whether it was intended to allow the system to continue in England under which each side appointed a valuer. He would go one step further than the Amendment. He saw no reason why they should limit the prohibition to claims of £50. If the hon. Member went to a division he should give him his support.

*SIR EDWARD STRACHEY said the procedure under the Bill would be cheaper than it had hitherto been, as it was much simplified. In the great majority of cases in Scotland, he supposed, as in England, it would be a case of mutual agreement between the two valuers, and it would not go to arbitration. If they did not agree there would be one arbitrator, which simplified the matter very much.

MR. CAVE said he was in rather an unusual position in agreeing with the Minister in charge of the Bill, and differing from hon. Gentlemen on the Opposition side. He thought it ought to be open to either side to employ a solicitor if need be. Members on both sides talked about pettifogging solicitors and so forth, but he was sure those who said that were not very well acquainted with what was done in the country districts, where the solicitor was often a man whom everybody had confidence in, and would entrust his affairs to. The real reason he objected to this Amendment was that it was another piece of grandmotherly legislation. He thought that business men—because landlords and tenants were very often business men—should be left to make their own arrangements in business matters. It was very odd that throughout this discussion everybody who had spoken said that the existing system was best, yet the Government had thought fit to change it. That was the first mistake, but to adopt this Amendment would be mistake No. 2. People were getting on very well now, and the more they interfered with what business men thought was the best thing to do, the more would matters be confused and expense increased.

*MR. BERTRAM (Hertfordshire, Hitchin) said that with regard to the words of the Amendment he might point out that every member of the class described as pettifogging solicitors would without a moment's hesitation advise his client that he could, so to speak, drive the proverbial coach-and-four through these words. They had only to make a claim of £51 in order to do just as they pleased in regard to the employment of counsel or solicitor.

*CAPTAIN CRAIG (Down, E.) said he certainly thought the hon. Gentleman who had just sat down had put forward an aspect not touched before, but he might point out to the hon. Gentleman that if the claim were for about £49 and there was a counter-claim of £49, instead of being £51 as the hon. Gentleman suggested, this clause would be dealing with an amount of £98. Although a coach-and-four might well go through the clause he thought the Amendment was more drastic than some Members of the House at first recognised. The Bill had been hurried before the House, so that those who were interested in it had had no real opportunity of going into these matters in the way they would have liked. Still, at the last moment they must make out a case where they saw serious grievance introduced in the Bill. One of these would be obviated by this Amendment, or some assurance that in small claims which amounted to about £50 the expenses should be kept down. Tenants in some instances were shy of even small costs in arbitration. The custom of settling differences varied in different parts of the country. In some cases a friend of both parties was asked to decide the point in dispute. This Amendment permitted of that being done, without having the responsibility put upon the tenant of employing an expensive lawyer or a very learned counsel at a large fee to encounter a costly solicitor or barrister on the other side. It was to obviate that that the Amendment was introduced. Having regard to the multitudinous claims that would immediately be made under this Bill, he thought the Minister in charge had no conception of the magnitude of the step he had taken in fathering this clause. If the people were able to take advantage under this Amendment of the customs hitherto practised in various parts of the country it would go a long way towards improving the clause. Costs in each and all of these thousands of claims, whether settled in favour of the landlord or of the tenant, would be an intolerable burden on the agriculture of the country, and mounting up year by year, were a tax which the country was not fitted to bear. In order to eliminate costs in the smaller claims, he held it was absolutely essential that they should have an Amendment of this nature. Those who were interested in seeing agriculture flourish in the country had not been given a fair chance in this question. This was an Amendment which would undoubtedly simplify the matter, it was desired in every quarter of the House, and he hoped that the hon. Baronet in charge of the Bill would give an assurance that that current of thought would receive careful attention.

*MR. WARDLE said he desired to point out what appeared to him to be the real crux of the question. They were told that the cost was the thing which was at issue. They who represented workmen in the House found themselves in a very similar position with regard to the Workmen's Compensation Act and other legal difficulties which workmen had to meet. What had they done? He suggested that the tenant should do as they did done. They should combine and have a small insurance society, and then they would get over this small difficulty. After all, £50 might be a great deal to these men. By the single method which workmen had put in force, this body of tenant farmers and holders of small holdings would get that legal advice to which they were entitled.

COLONEL KENYON-SLANEY said that the Amendment had been advocated on the ground that the tenant wanted protection as against the possible encroachments of the landlord, and yet the hon. Gentleman in charge of the Bill opposed it on the ground that what its supporters thought it would effect was contrary to what would really happen. The hon. Gentleman opposed it because he thought it would be against the interest of the tenant. If the House wanted proof of the extraordinary bad judgment which had been shown in the bringing forward of this Bill, he did not think they could have better proof than they had from the hon. Gentlemen opposite in the discussion of this Amendment. He thought the balance of argument was in favour of the Amendment, which he believed would work in the direction of putting the tenant on more level terms with the landlord, and, in so far as that would be the result, the Amendment had his approbation. The landlord's agent was frequently a solicitor, and it was not desirable that he should be barred from appearing. Another interesting point was that Scotland was diametrically opposed to England in regard to the appointment of a single arbitrator.

MR. NUSSEY moved to amend his Amendment by leaving out the words after "solicitor."

Amendment proposed to the proposed Amendment—

"To leave out the words 'unless the claim or counterclaim shall exceed in amount the sum of £50.'"—(*Mr. Nussey.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

MR. FORSTER (Kent, Sevenoaks) said it seemed to him that the Amendment to the Amendment introduced a really different question. The Amendment as amended would prevent either party from being represented at the arbitration by a lawyer, however large the question involved might be. He did not think the hon. Gentleman was well advised in leaving out the latter part of the Amendment.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.) said he should have been perfectly prepared to support the Amendment as at first proposed, but he entered a caveat against the method of procedure which the mover had followed. By striking out the latter part of the Amendment he had destroyed the whole of the reasoning on which the Amendment in its original form had been supported. It was right that the parties should not be put to unnecessary expense in trifling cases, but he could not assent to the proposal that lawyers should be barred from appearing where large interests were involved.

MR. NUSSEY asked leave to withdraw the Amendment to the Amendment.

Amendment to the Amendment, by leave, withdrawn.

Question put, "That those words be there added."

The House divided:—Ayes, 72; Noes, 301. (Division List No. 380.)

AYES.

Acland-Hood, Rt Hn. Sir Alex. F
Agnew, George William
Anson, Sir William Reynell
Atherley-Jones, L.
Balcarres, Lord
Banbury, Sir Frederick George
Baring, Hon. Guy (Winchester)
Barran, Rowland Hirst
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Lord John P. Joicey-
Cheetham, John Frederick
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J (Birming'ham
Corbett, T. L. (Down, North)
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Davies, David (Montgomery, Co.
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)

Haddock, George R.
Hardy, Laurence (Kent, Ashford
Harrison-Broadley, Col. H. B.
Harwood, George
Helmsley, Viscount
Houston, Robert Paterson
Hunt, Rowland
Kenyon-Slaney, Rt.Hn.Col.W.
Kimber, Sir Henry
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Nield, Herbert
O'Neill, Hon. Robert Torrens
Partington, Oswald
Pickersgill, Edward Hare
Randles, Sir John Scurrah
Rawlinson, JohnFrederickPeel
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith, AbelH.(Hertford, East)
Smith, F.E. (Liverpool, Walton
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark
Valentia, Viscount
Warde, Col. C. E. (Kent, Mid)
Watt, H. Anderson
Whitbread, Howard
Wilson, A. Stanley (York, E.R.

TELLERS FOR THE AYES—Mr. Nussey and Mr. Everett.

NOES.

Abraham, Wm. (Cork, N. E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland-Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, JosephA.(Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beaumont, Hn. H. (Eastbourne
Beaumont, Hn W.C.B.(Hexh'm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Belloc, Hilaire Joseph Peter R.
Benn, SirJ.Williams(Devonp'rt
Benn, W.(T'w'rHamlets, S.Geo.
Betram, Julius
Bethell, J. H. (Essex, Romford
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, ArthurW.(Bedfordshire)
Boland, John
Bolton, T.D.(Derbyshire, N.E.)
Bottomley, Horatio
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Brunner, Rt.HnSirJ.T.(Chesh.)
Bryce, J. A. (InvernessBurghs)
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Byles, William Pollard
Cairns, Thomas
Causton, Rt.Hn.RichardKnight
Cave, George
Chance, Frederick William
Channing, Francis Allston
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, SirT.Glen(Renfrew, W.)
Cobbold, Felix Thornley
Collins, SirWm.J.(S.Pancras, W
Corbett, CH.(Sussex, E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Cremer, William Randal
Crombie, John William
Crooks, William
Crosfield, A. H.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dilke, Rt. Hon. Sir Charles
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Elibank, Master of
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Flynn, James Christopher
Fowler, Rt. Hon. Sir Henry
Fuller, John Michael F.
Fullerton, Hugh
Gardner, Col., Alan(Hereford, S.
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Hammond, John
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, CecilB.(Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Hooper, A. G.
Hope, John Deans(Fife, West)
Hope, W.Bateman(Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jackson, R. S.
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Jowett, F. W.
Kekewich, Sir George
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Leese, SirJosephF.(Accrington)
Lehmann, R. C.
Lever, A.Levy(Essex, Harwich)
Lever, W. H. (Cheshire, Wirral)
Lough, Thomas
Lundon, W.
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs)
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Kean, John
M'Kenna, Reginald
M'Killop, W.

M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln
Marks, G.Croydon(Launceston)
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Chas. N.(Doncast'r)
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, John (Kildare, N.)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly,James(Roscommon,N.
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Perks, Robert William
Pollard, Dr.
Price, C.E.(Edinburgh,Central)
Price, RobertJohn(Norfolk, E.)
Priestley, W.E.B.(Bradford, E.
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thos. (W. Monm'th)
Richards, T. F.(Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scott, A.H.(AshtonunderLyne)
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.)
Thomas, DavidAlfred(Merthyr
Thomasson, Franklin
Tomkinson, James
Torrance, Sir A. M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walters, John Tudor
Ward, John (Stoke upon Trent)
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
Weir, James Galloway
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn(Carmarth'n
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W. R.)
Wilson, J.W.(Worcestersh. N.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

SIR FREDERICK BANBURY said he moved the omission of Clause 2 for two reasons. First, because the clause would not attain the object in view, and would cause bad feeling; and, secondly, because it would abrogate contracts already entered into. The object of the clause was apparently to give compensation to the tenant for damage done by game which he had not the right to kill. Supposing for a moment that game was preserved in the ordinary way, and did some damage to the crops of the tenant farmers, how on earth was it going to be proved that the damage was done by partridges and pheasants, and not by rooks or pigeons? He maintained that partridges did no harm at all, and pheasants only at certain seasons, and then only if they were in excessive numbers. Moreover, how could it be proved that the damage was done by the partridges and pheasants belonging to the landlord? In the case of a small estate the game often came over the border, from the land of a neighbouring landlord, and did the damage. Was it a fact that there was such an amount of damage done by excessive game preservation that it was necessary to interfere with freedom of contract as between landlord and tenant? It was perfectly well known that a tenant in taking a farm where he knew there would be a large amount of game preserved got compensation in the way of abatement of rent. But it might be said that where the amount of loss was very small, and the number of holdings very large, the tenants were were in the hands of the landlords. He believed that that was the opinion of writers in Radical newspapers. But everybody knew that it was quite contrary to the fact, and in nine cases out of ten the tenant could make what terms he chose. He could say that there was too much game on the place, and he must have a reduction of rent. Therefore his interest was already safeguarded. If this change in the law was introduced, the tenant, in cases where it could not be told whether the damage was done by rooks, pigeons, partridges, or pheasants, might go to a pettifogging lawyer, or the lawyer might come to him and he might make a claim which he could not prove. The result would be ill-feeling between the landlord and tenant. Then he objected to the words, "any agreement to the contrary shall be void." Why should the House interfere in this manner between two sane men, and say that they might not make any arrangement they liked? The relations between landlord and tenant were in a great number of counties extremely satisfactory, but those friendly relations would terminate and strained relations would be substituted if the Bill were passed. It would tend to destroy the rural life of England. One would have thought that if this Bill was to be introduced the Government would have followed the precedent of the Ground Game Act and made it not to apply to the agreements existing at the time of the passing of the Act. The Ground Game Act exempted such cases, but there was nothing in this Bill which would do that.

CAPTAIN CRAIG, in seconding the Amendment, said the House found itself in the particularly objectionable position of having to discuss this particular clause on short notice. Clause 2, although the title of the Bill was the "Land Tenure Bill," was one which he thought everyone in the House would agree affected a very large question outside the question of land tenure, and one which required very much care and thought. He really sympathised with the hon. Baronet who had to father this carelessly drawn measure, and although many of them—at least speaking for himself, it was the case—certainly approved and always had approved of reasonable compensation where damage by game had been sustained, still he objected that this clause, which was loosely framed, had been thrust upon them at such short notice that they had hardly had time to frame Amendments to make it reasonable. They were, therefore, face to face with it and had to debate it upon very short notice and without having proper Amendments before them. The measure principally referred to winged game and not to ground game, but in the first three lines they found such an anomaly that, although he was heartily in agreement with compensation where the damage had been done by the landlord's game on a tenant's farm, it would render the working of the Bill particularly irksome. The tenancy might be for four, five, ten, or fifteen years, and yet it was to be at once cancelled. There might be an agreement by the landlord fixing a reduction in rent, say, of 1s. per acre with no claim for damage, and yet it was to be abrogated. That was the Scottish system, which had worked well for thirty years, and which he would like to see embodied in this clause. There was no other plan so plain and simple, and no method by which this compensation could be more speedily and rapidly carried out, or could be so well understood both by landlord and tenant. The Scottish system was utterly ignored by this Bill, which, it might be pointed out, applied to Scotland as well as to England. Where they found an old custom, as in Scotland, it would be better to continue it, and certainly the case of Scotland ought to be applied to for regulations in regard to game, for there they had had more experience in regard to moors than perhaps in any other country in the world. Where they found laws in existence which had proved so satisfactory for so many years, it would be much better to re-enact them rather than to provide others.

*THE CHAIRMAN said the hon. Member was now dealing with how the clause might be amended and not with the Amendment to strike out the clause altogether.

CAPTAIN CRAIG said he was obliged for the ruling, but it was his warm feeling against this clause which was responsible. He wished to urge that it should be left out altogether. The objections to it were that first and foremost it broke contracts, and he was trying to elaborate the point that if they found a contract which was to be in force for a number of years, they should not pass the words "any agreement to the contrary shall be void." It made an agreement entered into by men of sound common-sense, such as the tenant farmers in Scotland and their landlords, null and void. But then it was said that these two people might come forward and make another agreement. From the first to the last line of the clause there was the greatest looseness of phraseology, and therefore he supported its omission from the Bill. He submitted that they should have some argument in support of the clause. They had indeed heard no argument from the front Government Bench in support of the Bill. When a measure was suddenly brought forward, the Opposition, small as it was, deserved courtesy. He did not, however, blame the Government for want of courtesy, but he did blame them for not giving them the opportunity to convince the House that this section was wrong.

Amendment proposed—

"To leave out Clause 2."—(*Sir Frederick Banbury.*)

Question proposed, "That the clause down to the word 'had,' in line 5, stand part of the Bill."

*SIR EDWARD STRACHEY said the hon. Member who had moved the Amendment seemed to complain that he (Sir Edward) had not explained the clause, but it was not possible for him to do so until the hon. Gentleman had resumed his seat. The hon. Baronet had expressed himself as being unable to see the object of the clause. Its object was to prevent excessive game preserving except where compensation was paid to the tenant. A good deal had been said about creating bad feeling between landlord and tenant. He knew perhaps as much about that as the hon. Baronet. He thought that the way to preserve good feeling was to see that the tenant got compensation where a large head of game was kept up on his land. He appealed to hon. Gentlemen who were on the Standing Committee when this question was discussed. Many concessions were made protecting the landlords, and the clause was added to the Bill without a division and with the general assent of those who were looking after the interests of the landlords. He would also point out that in the Report of the Royal Commission on Agriculture in 1893 the right of the occupier to compensation for damage to crops by game was recognised. When hon. Members recalled the fact that there were such men serving on that Royal Commission as the right hon. Gentleman the Member for South Dublin, whose absence to-night they all deplored, and Mr. Chaplin, and it was clear that they thought there ought to be adequate compensation, he was surprised that the hon. Baronet should seek to strike out this clause altogether and deny to the farmer the right to claim compensation for damage done by the excessive preservation of game. He did not say that he was going to oppose unreasonably any Amendments to the clause that might be required, but he objected to striking the clause out of the Bill.

SIR A. ACLAND-HOOD (Somersetshire, Wellington) said that if his hon. friend would agree to this Amendment he would make the Bill what it called itself—a Land Tenure Bill. The hon. Gentleman who himself proposed to leave out Clause 3, one of the game clauses, knew that a great deal more damage was done to farmers by ground game than by winged game, and if the present clause were left out they would have a Land Tenure Bill and not a land tenure plus a Game Bill. A great deal had been said as to the damage done by the excessive preservation of game, but the hon. Gentlemen must know perfectly well that if the winged game did a certain amount of damage it also did a great deal of good. He would like to know from the Solicitor-General how far, if at all, wild deer would come within the four corners of the Bill. He was not speaking of the deer in Scotland, but the wild deer in the west country, where they were preserved for hunting. Their preservation brought tens of thousands of pounds into the pockets of the people of the west. Were they to come into the category of game for which the landlord might be sued for compensation for damage? He thought it would be very unfair to put on the small landowners of that district this great responsibility for the red deer which wandered all over the country, and which no doubt did a great deal of damage at times.

*VISCOUNT HELMSLEY said that they were in a difficulty in discussing the Amendment, because although one might object to this particular clause he might not to a similar and better clause, which would actually carry out the object which the hon. Baronet had announced to be his intention in regard to it. Every one, he thought, would admit that where damage was done to farmers' crops—it was, he might observe, usually very much exaggerated—owing to the excessive preservation of game, the farmer should have compensation, but there were certain things to be taken into consideration in the matter. One ought to bear in mind that it was only the excessive preservation of game they wanted to make provision against, and it had been held in the Law Courts that a tenant farmer could get compensation for excessive damage by common law. The Government were, therefore, not doing anything new; they were only giving under statute what the farmer could now get under the common law if he cared to apply for it. All the talk about compensation for damage done by game consequently amounted to little, because they were simply substituting one form of procedure for getting compensation for another. If the clause only gave greater facilities to farmers to get compensation, he should support it, because he thought that would be an advantage; but it went further. It denied, as a matter of fact, that the owner had any rights whatever in the game upon the land, although in all contracts of tenancy he specially reserved to himself the sporting rights. He believed that under the common law the sporting rights in ordinary leases went with the tenancy, but in most cases the landlord reserved them and the tenant recognised that a certain proportion of game was supposed to be on the land and took into consideration any damage which might be done by it. The clause would alter that, for under it the sporting rights would mean nothing. The probability, therefore, was that the landlord would put up the rent to counterbalance the loss of his sporting rights, and if that would be to the advantage of the tenant he (the hon. Member) should be surprised. Therefore, on that ground as well as because the clause did not accord with the speeches of the Minister for Agriculture, he should vote against it, hoping thus to make way for a better clause. He was in favour of compensation being given for damage by excessive game, but unfortunately they had to vote on this clause without knowing what Amendments were going to be moved and accepted.

*MR. NICHOLLS (Northamptonshire, N.) said that to a large number of farmers with whom he had come in touch this was the most important part of the Bill. Athough they had heard in this House a good deal about excessive preservation of game, no mention was made of it in this clause. The reason why this compensation was required by the farmers was that they had held, in many cases, their tenancies for many years. A good many of them were aged men and did not want to move. They knew not what dual ownership but dual tenantship meant. The farmers had held the land for some years, and the game preserving had gone on year after year for the benefit of the sporting tenant, and the man who had improved the land wanted some consideration. As soon as he complained of the excessive preservation of game and consequent loss to him he was told by the agent that if he did not like it he could shift, and that there were plenty of other people who would take the farm. But he did not want to leave the land which he had improved; all he wanted was reasonable protection against these imported aliens, imported not for him but for another man who rented the shooting. A good deal had been heard of the sanctity of contracts. Many farmers would like more consideration given to that point. There was not much sanctity about it. When it came to a landlord getting more for the sporting rights than the rent he got from the farmer, if all the tenants could be moved to-morrow and new contracts made, it might be much easier to consider these dual rights, but he desired to protect the farmer during the present tenancy. On some farms he walked over recently, the tenant had been in possession for ten years. Every year the gamekeepers had been increased and yet the landlord could not afford to build better houses. He walked about among the game, of which there were hundreds of head in the fields, and which were as tame as poultry. That game was not the ordinary product of the land. It had been brought there and damaged the crops, and when the tenant complained he was told it was no use complaining; he could leave if he did not like it. But every one knew that if the land was of any use there were plenty to take it after it had been improved by the tenant. He submitted that the men who were cultivating the land were entitled to consideration in this matter; they must protect the present tenant.

MR. HICKS BEACH said that although the hon. Member and himself were agreed in a great many things, there were some points in the hon. Member's speech to which he must take exception. The hon. Member had alluded to the excessive preservation of game, and then in almost the same breath had said that if a man left his farm there were plenty of people ready to take it under the same conditions. That would appear to show that the conditions were not very onerous. He therefore failed to see where the hardship came in. Mr. Nicholls said that the hardship came in when the tenant had improved his farm. After ten years hard work, other men were ready to take it and reap the reward of his labour. His capital and labour had increased its value, and he should be considered. Mr. Hicks Beach said that with regard to the Amendment before the House, he wished to say he was in hearty sympathy with the proposal to give compensation for damage caused by the excessive preservation of game, and he frankly admitted that during the discussions in the Committee a great many of the points for the Opposition were met by Amendments, which, strange to say, were accepted or introduced by the hon. Baronet representing the Government. This clause was three times as long as the original clause, which went to prove that the arguments adduced by the Conservative members of the Committee had considerable weight. He, however, did not agree with it in its present form. In his opinion it was capable of great amendment. He had, in order to draw attention to this point, put down an Amendment on the Paper. When a man took a farm, in ninety-nine cases out of a hundred he went over the farm and asked people who knew it what was the ordinary amount of game raised upon it and the amount of damage done by the game. He himself was rather sceptical about the amount of the damage done by game on the farm. A flock of pigeons would do far more harm in one day than 1,000 pheasants in a month, because pheasants were artificially fed by the keepers and pigeons had to seek their own living. In addition to that, pheasants did a considerable amount of good by consuming large quantities of insects, and particularly wire worm, which in some parts of the country was very prevalent and a most obnoxious pest. He had drawn attention to this because, when a tenant took a farm, he offered a rent which he thought was commensurate to the return he could obtain from the soil, and in that offer he also took into account the amount of damage done by the game living on the soil. He ought, however, to receive compensation if he could prove the amount of damage done to be excessive owing to excessive preservation. If the Solicitor-General would give some assurance that he would favourably consider the Amendment on the Paper to omit the word "any" after "damage" he (Mr. Hicks Beach) would not support the rejection of the clause. Upon that understanding and upon an assurance that an Amendment to be moved by the hon. Member for Barkston Ash, that not the landlord in every case should be liable for damage done by game but the person in whom the sporting rights were vested, would be accepted, he was prepared to vote against this Amendment. He hoped also that the House would receive some definite answer to the question raised by the right hon. Baronet the Member for West Somerset, as to whether the damage done by deer was included in the clause. That was a very important point to people who lived in the west country.

*MR. COCHRANE asked for an interpretation of the two sections of the clause. He pointed out that the first section said that the tenant should be entitled to compensation for damage and that any contract to the contrary should be null and void, whilst the second said it should be the subject of an agreement. There appeared to be some contradiction in terms which should be cleared up. Where an excessive amount of game was preserved, it was only fair and right that the man on whose land they fed should have compensation. But when he read this clause and compared it with the state of things that obtained in the more favoured country which he represented, he found that, if this passed, instead of putting the landlord and tenant into a better position it would have the opposite effect. The amount of damage done by game was surely better fixed by agreement than in any other way. They did not want to drag men on friendly terms into these arbitrators' Courts. It was far better that a friendly arrangement between landlord and tenant should exist than that this question should be fought out at the point of the bayonet. He found by the schedule that this Bill repealed the beneficent law which had been in operation in Scotland since 1877, and under which the landlord might make an agreement which would cover the damage caused by game. In default of an agreement the small sum of 40s. was deemed to be the amount of the damage the tenant would sustain, and if damage to a greater extent than 40s. was done the tenant was entitled to be compensated. He appealed to the Government, at any rate, to leave Scotland where she was in this matter, because there they had always been able since 1877 to manage these affairs in a friendly fashion, and he hoped the Government would not mix Scotland up in this matter with this more benighted country.

*SIR. WILLIAM ANSON (Oxford University) said he desired to raise a point in regard to those landlords who made no reservation of sporting rights, namely, the colleges of the Universities who for the most part were accustomed to let their land without reserving the sporting rights. He said, supposing the tenant on such lands let the sporting rights to a shooting tenant he then ceased to have the lawful right to kill the game. The shooting tenant then raised a quantity of game, which damaged the tenants' corn. The tenant could then come to the landlord for compensation for damage caused by the preservation of game over which he had no control whatever, and the landlord would have to go to the shooting tenant to recover an indemnity for the compensation for which he was liable through no cause of his own. This appeared to have escaped the notice of the framers of the Bill. They had not considered the case of the tenant who had shooting rights, who let them, and then came down on the landlord with a claim for damage.

SIR W. ROBSON said he did not wish to speak at any great length on the questions put before him. So far as he understood, hon. Members on both sides of the House were agreed on the principle of the clause. A tenant who at the commencement of his tenancy had the right to kill the game would not come under this section at all, because this clause was intended to compensate those tenants who had not the right to kill the game. The smaller points of detail could be dealt with better as each phrase was reached. He thought it would be desirable to insert some definition of game in the Bill. It had been asked whether it was fair that a small landlord should be called upon to pay for damage done by deer that came a great distance. Damage was already done by deer, and it was generally amply and generously made up by the hunt. If the tenant received a right of obtaining redress from the landlord he would probably still go on making an arrangement with the hunt, and if he exercised the right it would only mean that the landlord would have to adjust the matter with the hunt in his stead.

MR. A. J. BALFOUR said his objection to voting against this clause was that he was entirely of opinion that the excessive preservation of game was a matter for which the tenant should receive compensation. He was reluctant to vote against a clause which dealt with that subject. He was bound, however, to say that he thought the clause required amendment.

SIR W. ROBSON said the language of the clause did not shut out the case.

MR. A. J. BALFOUR said that the hon. and learned Gentleman had made a statement which he cordially welcomed. If he admitted that the drafting of the Bill might cause a difficulty, and if he was prepared with a remedy, he hoped the hon. and learned Gentleman would consider the words which ought to be applied to secure that remedy. His right hon. friend the Member for Somersetshire had raised a point which was a burning question in the west country, and he did not think that the answer of the hon. and learned Gentleman would give much satisfaction. On the question as to whether they on that side of the House should support the Amendment of his hon. friend the Member for the City of London, his objection to voting against the clause was that he was entirely of the opinion expressed by many of his hon. friends and supporters that the excessive preservation of game was a matter for which the tenants should receive compensation. It was for that reason that he was reluctant to vote against the clause which dealt with that subject. He was bound, however, to say that he thought the clause required amendment. If he read the clause aright, it would be quite impossible for any tenant to make such an arrangement with his landlord as would put into his pocket a great deal more by way of reduction of rent than he would lose by the game. If he understood the clause rightly, it might be an arrangement by which he would lose in damages £25, and receive in compensation £50.

Mr. CROOKS (Woolwich): Good business for the tenant.

Mr. A. J. BALFOUR said that if it was good business for the tenant, why not let the tenant have it? The clause actually forbad the tenant to make any such arrangement. Was the House really going to lay down the proposition and solemnly enact it that no bargain, however favourable to the tenant, if connected with game at all, was to be a kind of bargain into which he was to be at liberty to enter? That seemed to him to be an unwarrantable interference with the liberty of contract, in contradiction to common sense and common judgment. In the meantime while pointing out this particular difficulty to the House, which was the most formidable that had been raised, he did not think it would be in accordance with the views of his friends on that side of the House to vote against the clause. He therefore suggested to his hon. friend that he should not press his Amendment to a division, but when they came to discuss the words of the clause the particular difficulties with which he had attempted to deal must be met by specific Amendments.

Sir F. BANBURY said that he was very pleased to accept the suggestion of his right hon. friend. He did not introduce the Amendment because he had any sympathy with the excessive preservation of game, but because he held the objection so clearly raised by the right hon. Gentleman that this clause interfered with the sanctity of contract or bargains entered into between landlord and tenant.

Lord R. CECIL (Marylebone, E.) did not think the right hon. Member for Oxford University apprehended the difficulties to which this clause gave rise. The clause said—

> "Where the tenant has sustained any damage from game which he has not the lawful right to kill,"

he should obtain compensation. Those words were absolute. It seemed to him that if a qualification were inserted which said that the tenant had deprived himself of the right to kill game, the clause would be destroyed altogether. He ventured to ask the Solicitor-General what kind of words he would put in to make any reality of the clause at all.

Amendment by leave, withdrawn.

Mr. MITCHELL-THOMSON said that he proposed to move the Amendment standing in the name of his hon. friend the Member for Ayr Burghs, viz., to insert after the word "tenant" the words "under any contract of tenancy made after the passing of this Act." The House would see that that would safeguard contracts already made. He really believed that in the general sense of the House it was desirable to preserve the sanctity of contracts, unless those contracts were directly opposed to public policy or to the general interests of the community. The alteration of the Game Laws was a very serious question. The Ground Game Act of 1880 was defended on the ground that by it the Government were not going to alter any existing contract, and under Clause 5 of that Act such contracts were expressly safeguarded. This Bill should also, he thought, give effect to existing contracts. He could understand the hon. Baronet in charge of the Bill taking the objection that the majority of leases were from year to year, and as the operation of this Bill was to be postponed for a year there was no sense in their agreeing to an Amendment of this sort. To that he would agree if Scotland were excluded, because there they had a totally different system of long leases, say for nineteen, twenty and twenty-one years, which had worked very well. The English tenant was going to be put in a better position than he now was in, but the Scottish tenant did not wish his position to be changed, by which any extraordinary damage by game was recoverable from the owner of the gaming rights. All ordinary damage was contemplated in the lease, and if a man took land adjoining coverts he knew that he was likely to have game running into his fields and it was taken into consideration. But if in one year a man raised an extraordinary head of game the tenant could recover compensation. He said that the case for the introduction of some such words as these was irrefragable.

MR. REMNANT (Finsbury, Holborn) seconded.

Amendment proposed—

"In page 2, line 5, after the word 'tenant' to insert the words 'under any contract of tenancy made after the passing of this Act."—(*Mr. Mitchell-Thomson.*)

Question put, "That those words be there inserted."

*THE CIVIL LORD OF THE ADMIRALTY (Mr. LAMBERT, Devonshire, South Molton) said the Amendment would destroy the basis of all our existing agricultural legislation. The Agricultural Holdings Acts of 1883 and 1900 were compulsory as regarded the landlord. They overrode existing contracts. This Bill followed the same course. The tenant in possession of a farm now was to be entitled to the same privileges as the tenant who came into possession a year hence. It was the men who held farms to-day who required protection. The Government in this Bill were giving the minimum amount of protection and of compensation to the farmers for damage caused by game which they had not the lawful right to kill. He was sure that no genuine sportsman would be guilty of the meanness of wishing that he should enjoy sport at the expense of the poor tenant farmer.

*MR. COCHRANE pointed out the advantages of the nineteen years' leasehold system in Scotland, where the custom usually was for the landlord to give a reduction of rent to the farmer equivalent to the amount of damage caused by the game. The interest of the landlord was to keep a good tenant, not to get rid of him. A landlord had this friendly arrangement with a tenant by which the latter benefited to a considerable extent by having a reduction of rent generally more than equivalent to any damage that might be done to his crops by game; yet, under this Bill, such an agreement was to be null and void, although the farmer might receive his reduction, and at the same time might go before the arbitrator and make a claim for the damage done by the game. If agricultural questions were to be approached in such a one-sided way the Government would be dealing the industry a severe blow.

MR. ABEL SMITH said everyone who represented a Scottish constituency would agree that the present system between landlord and tenant in Scotland was perfectly satisfactory, and he could see no real reason for disturbing it. The proposal of the Government to interfere with the arrangement seemed to him to be mischievous and meddlesome. He would like to see the friendly arrangement which existed in Scotland extended to this country.

SIR FREDERICK BANBURY said the Civil Lord of the Admiralty must think landlords very big fools if he imagined that under this Bill they could enter into an agreement with their tenants in the way suggested. Some hon. Members seemed to think that the landlord did his best to put every difficulty in the way of the tenant, whereas absolutely the reverse was the case. Under this Bill the friendly feeling between landlord and tenant would be interfered with.

MR. LAMBTON (Durham, S.E.) said he should like to ask the Lord-Advocate a question. This section said that any agreement should be null and void. How would that be the case in the event of a landlord by agreement allowing his tenant a reduction of £50 for damage done by game? Would the landlord be enabled to withhold the reduction he had promised?

COLONEL KENYON-SLANEY asked whether the Civil Lord of the Admiralty really thought that contracts deliberately made could be broken on one side only? If the tenant were free to break a contract the landlord would feel compelled to put an end to any arrangement under which he had perhaps made a considerable rebatement to the tenant.

SIR W. ROBSON said that it would be seen in Clause 2 that where the tenant had sustained damage he was to be entitled to compensation, and any agreement to the contrary was to be void. But such an agreement as that cited by the hon. Member was not an "agreement to the contrary." An agreement to fix the damage was a perfectly legitimate agreement.

*LORD HELMSLEY said he did not think the Solicitor-General had appreciated the real point. The question was whether it was generally not an agreement, but a tacit understanding, that was arrived at between the landlord and tenant. A field likely to be visited by game would be let, say, for 12s. an acre instead of 20s. The tenant having got the field at 8s. reduction to allow for damage, could he afterwards claim for compensation as well?

MR. J. HENDERSON (Aberdeenshire, W.) as representing perhaps the largest agricultural constituency — fifty miles square—stated that such an allowance being made at the beginning of the lease was quite unknown in Scotland. Whenever a farm became vacant there were ten or twelve men after it, and the factor generally let them bid against each other so that the tenant fixed his own rent. The small farms having been thrown into big ones, there were now more farmers than farms.

And, it being Eleven of the clock, the Debate stood adjourned.

Debate to be resumed To-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at one minute after Eleven o'clock.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Wednesday, 7th November, 1906.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against; of inhabitants of parish of Newton Solney; and county borough of Northampton; read, and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petition for amendment of; of church school managers, trustees of schools, and church officers of the Diocese of Chester; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

COMMERCIAL TRAVELLERS.

Memorandum summarising the regulations in force in British Possessions and Protectorates and Foreign Countries with regard to British Commercial Travellers.

TRADE REPORTS: MISCELLANEOUS SERIES.

No. 655. United States (Immigration).

Presented (by command), and ordered to lie on the Table.

POST OFFICE.

Statutory Rules and Orders, 1906.

No. 792. The Inland Post Amendment (No. 8.) Warrant, 1906, dated 19th October, 1906.

No. 793. The Foreign and Colonial Post Amendment (No. 14.) Warrant, 1906, dated 19th October, 1906.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to Order).

[The Earl of Onslow in the Chair.]

Clause 4:—

Debate resumed on following Amendment—

"In page 3, line 42, after the word 'child' to insert the words 'But if the applicants show to the satisfaction of the Board of Education that suitable arrangements can be made in the school for enabling children whose parents declare their desire for some other form of religious instruction than that for which the extended facilities are afforded to receive such other instruction, or failing that, instruction in accordance with Section 14 of the Elementary Education Act, 1870, the condition in paragraph (*b*) of this section with respect to the existence of accommodation for such children in other schools shall be dispensed with: Provided that—(1) if there are not less than twenty children whose parents declare their desire for such other religious instruction the Board of Education may, if they think fit, require that sufficient teachers shall be provided on the staff of the school qualified to teach the religious instruction contemplate in the arrangements; (2) the local education authority in exercising their control over the school and their powers with respect to the appointment and dismissal of teachers shall permit such arrangements and enable such requirements to be carried out.'"—(*Earl Cadogan.*)

*The LORD BISHOP of SOUTHWARK said he had ventured the previous night to move the adjournment of the debate because it seemed to him that the matter which they were upon was of very considerable importance, and that they had hardly sufficiently considered all its bearings. The Amendment of the noble Earl made, on behalf of those who had Church schools at heart, a very large claim; but another point was that that claim followed upon several other claims which they had successively made, and which together came to a considerable amount. Therefore, he thought it ought to be freely considered.

The Under-Secretary of State for Foreign Affairs, speaking upon this matter yesterday, had said what perhaps was fair in debate but was not altogether considerate to his opponents. The noble Lord declared that those who had voted against him were getting a little frightened by what they had done, and were beginning to see whether they could not modify it a little. If the noble Lord had looked at the Paper he would have seen that the Amendment had a place upon it a good while before the other Amendments were moved. But there was a more serious reason for referring to that point. The noble Lord the Under-Secretary, turning to the benches behind him for cordial approval and support, went on to criticise what he described as this new-born zeal on behalf of minorities, and he said he wished this had always been so. It was necessary upon that point to demur a little. He supposed that there was no Party of any kind which, if it looked back twenty years in its own history, would not wish that it had seen quite as clearly then as now. With that admission, he would like to say that for a considerable time past, in season and out of season, they had tried to urge the rights of parental minorities, which the noble Lord's Amendment was now defending.

He would go back, for example, to what they put before the country themselves in the year 1899, and among the suggestions then made was the suggestion that in all schools, including their own, there should be facilities for the teaching of children who were in the minority. They always regretted that that suggestion was not adopted in the Bill of 1902. He thought if noble Lords would ask their consciences they would admit that the blame for that, if blame there be, was to be shared by both sides of the House. In the debates of that year Lord Lytton moved an Amendment precisely to that effect, and he ran the Government of the day very close upon it. The figures were, he thought, seventy-eight for the Amendment and eighty-four against. But how was it that that Amendment was then thrown out? It was thrown out by noble Lords who now sat on the front Government bench, who came to the rescue of the Government of the day, and, though then perfectly free in Opposition, refused that which to him seemed the fairest treatment for minorities.

Coming more closely to the Amendment itself, he felt very grave doubt about the amount of claim which it embodied. This was very largely a Church of England question, because, although the fourth clause related to Church schools and to the schools of Roman Catholics, the places to which this Amendment referred would be, not exclusively but mainly, Church of England schools. When he reflected that a large extension of Clause 4 had been effected by former Amendments carried in their Lordships' House; that they had made the clause to a great extent cover country districts, or, at least, large portions of them; and that they retained for those districts what had been called the atmosphere of the school aided from the rates—when he reflected this he shrank from doing that which he knew, rightly or wrongly—wrongly he thought in part, but also quite reasonably in part—the great mass of Nonconformist opinion, at least in its controversial form, would feel to be a hardship and injury. He felt bound to draw the distinction involved in the words "in its controversial form," because he was aware how much many Nonconformists rejoiced in the existence of the Church schools, and how often Nonconformist parents sent their children there, because they valued the religious character of these schools as against the more mechanical character of the other schools.

Then he looked at the Amendments to Clause 3. There he found what was the alternative supposing they did not pass anything approaching to the noble Lord's Amendment. If schools in one school area could not remain Clause 4 schools, the alternative, of course, would be that they would become Clause 3 schools. Under the Bill as it was amended, at least in every area that came under their purview for this purpose, in those schools they had the opportunity of having teaching every day in the week, and they might, by a further Amendment, be able to have the assistance of one of the teachers. They had, then, it seemed to him, in respect of those schools, a fair share of such a facilities system as he would like to see on a larger scale. He did not know whether he had expressed himself clearly enough to justify the view which he was inclined to take, but he thought their Lordships would see that he was probably unable to support the Amendment. He would explain why he used the word "probably," and why he hesitated in the matter. The first point was that if the noble Lord's Amendment were rejected, the proviso (*b*) of the clause would stand as the regulation for the transferred schools. He did not think he was speaking too strongly when he said that that proviso, in its present form, would be an open leak in the Bill, through which nearly all the virtue of Clause 4 would be drawn, leaving an empty cistern, where they thought they had their reserve of water. It was that which he desired to press upon the attention of the Government. They must, he thought, be aware that there was a very serious risk that Clause 4, which the Government told them they offered very deliberately and very seriously to meet what they considered fair conscientious demands, would prove illusory to a very large degree.

He was told that in innumerable cases it would be found that though, very probably, accommodation existed for the mass of the children, yet there would be a few cases for which it would be impossible to provide, and upon those few cases the application would break down. It was on these points that he ventured to think they were entitled to more attention from the Government than they had hitherto received.

They could not help feeling that this Amendment, coming where it did in the order of their debates, was not merely a single item, but part of a larger whole. They did not wish to ignore the impression which their debates might make. It was said that they were piling up claims. Certainly to him it was no satisfaction to feel that from clause to clause they were doggedly making one claim after another, going up possibly to the full edge of what they had a right to ask. But, on the other hand, with all respect to the Lord President, whose courtesy was unfailing, the Government sat sullenly declining all their Amendments. What made this situation more serious was that behind their division there was a division between two of the great bodies of religious opinion in the country. Such tension was fraught with the gravest anxiety, but as far as he could see it must largely be put down to the attitude which the Government felt themselves obliged to take. If no concessions were made they could not do otherwise than go on asking for each of the things which they felt they might fairly have, thus, perhaps, producing the impression of a formidable aggregate.

What made the Church representatives so stiff and unyielding in their claims was the Government's refusal to take for the main foundation of this measure the principle of equal dealing with different classes of children and parents and with different religious denominations. He could not sufficiently regret, for his part, the fate of Lord Balfour's Amendment. But why did that Amendment encounter the fate which befel it? What led the Government to refuse that Amendment? What moved the noble Duke on the cross benches to say what he did against it, or the noble Viscount on the front bench to take a parallel line? What moved Lord Courtney to endeavour to draw the line where he did? Quite obviously it was not the reason of the matter, not the equity of the matter; all these persons were moved by the consideration that it could not be done, that it would raise too great a storm, that the forces against it were so great that it was undesirable to go that way.

Who, he asked, was responsible for the present tension? For the present state of tension that Party was responsible which was determined to pass a steam-roller over minorities. The attempt to produce uniformity by refusing that variety of treatment which was essential if they were to do justice to conscience, was not made by those for whom he spoke. It was made, he would not say by the Government, but by those who constrained and drove the Government, and it was they who were obstructing a settlement that might be made on broader and fairer lines.

THE MARQUESS OF LONDONDERRY said the Amendment was based on very broad-minded principles, and it recognised that it was possible for unjust treatment to be meted out to minorities. In the other House of Parliament the Minister for Education had declared that minorities must suffer. No doubt that was so, but he thought their burden should be as light as possible, and it was with that intent that his noble friend had moved this Amendment. The proposal was to give a minority of children in a certain school advantages which they might not otherwise possess, but it had not been fully understood in their Lordships' House. The alternative school was a plausible expression which gave the idea of complete accessibility. If noble Lords looked at a map and saw schools dotted about a district near to one another they were liable to be misled on the point. The accessibility of a school was a different matter, as an alternative school might really be far from accessible to children, from whom it might be separated by a railway or a canal. He did not think their Lordships had grasped this difference, and the idea of his noble friend in introducing the Amendment was to meet this difference. To his mind the Amendment was an extremely practical one, and he did not think it would result in any additional expense being incurred.

LORD BELPER said he was very reluctant to intervene in this discussion, as he so entirely sympathised with the object of the noble Earl in moving the Amendment and the tone and temper in which he had introduced it to their Lordships' notice. But there was one authority concerned in this matter which had been somewhat lost sight of in the course of the debate—he meant the local education authority. His noble friend Lord Wenlock had asked the previous night for some information as to how the clause could be carried out, but had received no answer, and the point had not been alluded to since by any speaker. He thought their Lordships would agree that local education authorities had always shown themselves willing to take up any burden that was put upon them, and to carry out the work of education to the best of their ability, but he felt that, if the Amendment were passed, those bodies would, with the best will in the world, find it impossible to carry it out satisfactorily.

What was it that the Amendment proposed? It proposed that, in a school where the majority required and were to have special facilities, and where the minority represented not less than twenty children, if the parents of the minority declared their desire for other religious instruction the Board of Education might, if they thought fit, require that sufficient teachers should be provided on the staff of the school qualified to give that religious instruction. The only ray of light he saw in that provision was in the words "the Board of Education may, if they see fit." He took it that the words in the clause required that the local education authority should provide, amongst the staff of the school, teachers who were qualified to give any denominational teaching where there were twenty children requiring it. It was a novel idea that the local education authority should be required to teach and to supervise this education at all, but it became more anomalous still when they had to provide headmasters to teach the form of religious education required by the majority where these facilities were to be given, and other masters to teach whatever religion might be the religion of more than twenty children in that school. It was not only that they had to provide the teachers; they would also have to be responsible for the carrying out of the clause in a satisfactory manner. The words in the second sub-section of the Amendment were—

> "The local education authority, in exercising their control over the school and their powers with respect to the appointment and dismissal of teachers, shall permit such arrangements and enable such requirements to be carried out."

He did not quite understand the reasons which had prompted the Amendment, but he ventured to suggest, not so much on the ground of expense, as on that of the practical working of the proposed scheme, that it would not be possible for a local education authority to carry it out in a satisfactory manner.

*LORD CLIFFORD OF CHUDLEIGH hoped the Amendment would eventually be acceded to, with the exception of the latter part. He said this, not from any objection entertained to the principle, but from the fact of the great administrative difficulties which lay in its way. The principles of the Amendment worked successfully in Scotland and Ireland, but if it was to have the slightest chance of success in this country it was absolutely necessary that it should be entirely free from any element of compulsion. It must be a matter of arrangement freely entered into by the local authority and the owners of the school, and for that reason he hoped the last part of the Amendment would not be pressed. An arrangement of this kind, entered into voluntarily, might provide the basis, in a great many instances, of a solution of a difficulty which was common to-day. He thought it would remove some objection on the score of practical difficulties if, after the first "school," the words "or elsewhere than in the schoolhouse" were added, and he moved to amend the Amendment in that sense.

Amendment moved to the proposed Amendment—

"After the first 'school,' to insert the words 'or elsewhere than in the schoolhouse.'"—(*Lord Clifford of Chudleigh.*)

*THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): My Lords, the right rev. Prelate the Bishop of Southwark made a remarkable and weighty speech, couched, as we should have expected, in terms of moderation, and altogether, as we should also have expected, on a very high plane both of thought and expression. The right rev. Prelate shed one more tear, if I may say so, over the disappearance of facilities all round. He reminded us that in the debates on the Education Bill of 1902 an Amendment was moved in this House by Lord Lytton which was not accepted owing to the agreement of both front benches and of a majority of those then present in your Lordships' House that the scheme was not one which would work.

I think the right rev. Prelate was scarcely fair to that majority. He seemed to imply, both as regards that majority and as regards the majority of the House who found themselves unable to accept Lord Balfour's proposal the other day, that it was because some storm of public opinion would be aroused, before which we would be compelled to bow, that we and also such noble Lords as the Duke of Devonshire and Viscount St. Aldwyn felt compelled to oppose that proposal. It was not in the least on the ground of a possible storm from which we desired to shelter ourselves that we were unable to accede to that suggestion We all admitted the great attraction of some such scheme; but it was simply on the practical grounds of every-day working, admitted and enforced by those who are entitled to speak with authority on the practice and daily work of education, that we were compelled to dismiss that proposal from our minds. That is an important consideration, because, if it was a mere matter of bowing to a gust of public opinion, not only would our position be a morally inferior one, but there would always be the chance that public opinion might change. But, if our objections were founded—and I think it was clear from the noble Duke's speech that his objections were founded—on the actual impossibility of carrying out such a scheme, then, although it was considered in 1902 and again the other day, we are compelled, as I fear, the conditions in this country being what they are, to dismiss it finally from our minds.

*THE LORD BISHOP OF SOUTHWARK: I was not thinking at all of any sudden or momentary gust of public opinion, but of a great body of opinion which was acting in 1902 and is acting now.

*THE EARL OF CREWE: I entirely accept the rev. Prelate's explanation of what he said. The right rev. Prelate made one further complaint of our general attitude towards this Bill, and he seemed, I think, to regard it as a matter of which the Committee had a right to complain that we were not prepared to introduce Amendments of our own into our own Bill. I confess that it does seem to me scarcely reasonable to suppose that having brought a Bill into the House, and being in complete ignorance as to which were the Amendments on the Paper in regard to which noble Lords opposite would take an absolutely unbending attitude, and which were the Amendments in regard to which they might be disposed to take a less inflexible position, —it does seem to me unreasonable to ask that we should begin by stating the points, supposing them to exist, upon which it might be considered that some minor modifications in the Bill might be possible. Had we taken such a course, I do not think the passage of the Bill at its present stage would have been in the slightest degree facilitated. I have no reason to suppose that the number of extreme Amendments, not all compatible with each other, which have been carried by your Lordships, would in any way have been diminished, and I regret, therefore, that being in the minority, we are in this House obliged to hear what noble Lords opposite have to say and to accept the decisions at which they choose to arrive. There seems to be no other course open to us, and, although we may attempt to argue our points as best we can and to state the objections which we have to particular Amendments, we, of course, have to bow in the end to the force of the majority.

Turning for a moment to the clause itself, I think it is important that the

House should be thoroughly aware of what the clause actually does. The expression "atmosphere" has been used in relation to this clause. It is one which, as the right rev. Prelate said, may be open to some exception, but I think it gives a general idea of what is meant. As we introduced this clause, we intended the four-fifths majority to apply to schools of a predominant type. On that the noble Marquess stated yesterday that it was owing to the fact that these schools were of a predominant type that he thought protection ought to be afforded to the minority.

The Marquess of SALISBURY: I think that protection ought to be afforded to the minority in any case.

The Earl of CREWE: On that I wish first to point out that the "atmosphere" of these schools is abolished by the action of your Lordships' House. The action of your Lordships' House in substituting "a majority" for a "four-fifths" majority, it must be admitted by all, destroyed the special position of those schools possessing a particular atmosphere. Nobody could say that a school with fifty-one Church of England children and forty-nine Wesleyan children had a predominant Church of England atmosphere. That is one manner in which the atmosphere has been destroyed. You now proceed to destroy it further, so far as these particular schools are concerned, by introducing a considerable variety of religious teaching into the schools. I am not for a moment saying that that may not be a desirable thing to do, but you are abolishing the particular character of these schools. If you mean to say there is to be no school in England in future into which any type of religious teaching may not be introduced at the demand of a certain number of parents, you are altering, I should have thought the character of a very considerable number of those schools.

I understand that the demand of the noble Duke opposite and his friends, as expressed in many Resolutions which have reached me and in many speeches, is for Catholic schools giving Catholic teaching through Catholic teachers. Catholic teaching may be given in the schools, and probably, and we hope most certainly, the teaching will be given by Catholics; but how or by what figure of speech, if my noble friend's Amendment is carried, those schools could be said to be Catholic schools I confess passes my comprehension. For that reason I was a little surprised at the general agreement with this Amendment expressed by Lord Clifford, who, as I know. speaks on behalf of noble Lords in this House who are Roman Catholics. I turn to the noble Lord's Amendment on line 39.† How the provisions of that Amendment are in any way considered compatible with the provisions of this Amendment goes rather beyond me. I turn for a moment to what was said just now by Lord Salisbury when he most courteously and properly intervened. He said he was for the protection of the minority everywhere. Well, I hope we all are.

The Marquess of SALISBURY: I wish you were.

*The Earl of CREWE: My right hon. friend's observation in the House of Commons, which as he explained himself was not an epigram but a platitude, has again been evoked, and though I in my turn have to thank noble Lords opposite for the courtesy with which we have been treated in the course of this debate, I am not sure that to some extent the principle of the observation has not been forced on my mind during the last few days. The noble Marquess opposite says he is for minorities everywhere. Then why do you apply this particular provision to this particular kind of school more than to any other schools? What is the reason for giving a right of entry to all religious bodies in these schools where there may be a mere majority more than in all the other schools of the country where different religious persuasions may exist? If it is right to have special teaching for fifty-one Church children and forty-nine Wesleyans, is it not equally right to have the same teaching if there are thirty-three of each of those bodies and thirty-four of some other persuasion. Therefore, we are, it seems to me, working back very

---

† See Col. 482.

pleasantly, and, I hope, realising what we are doing, in the direction of all-round facilities. The schools in Germany, in which different kinds of religious instruction are carried on by teachers of each particular persuasion in the same school, have not, I believe, been found to answer very well, and their number has tended to diminish in favour of more purely denominational schools. We, by a curious paradox, are in favour in Clause 4 of the more denominational kind of school which is being abolished by the Amendment of the noble Lord opposite. I fear that we on this side cannot support the Amendment. I again admit that the right of entry has attractions, but it is alien to the general structure of the Bill, and on that ground alone, even if there were not others, we should be obliged, I am afraid, to decline to accept the Amendment.

*THE MARQUESS OF **LANSDOWNE**: My Lords, at one point I cannot help thinking that the noble Earl who has just sat down showed unusual audacity in his defence. He complained of us who sit on this side of the House for the independent and inflexible attitude which we have assumed. I should have said that the independent and inflexible attitude was to be found on the Benches opposite and not on these Benches. I desire to associate myself with what was so well said earlier this evening by the right rev. Prelate when he called the attention of the Committee to the fact that if we were compelled to put forward Amendments of this kind one after another, perhaps not always with the strictest possible regard to their cohesion as part of a complete scheme, it was because we had received throughout no assistance whatever from His Majesty's Ministers in examining the details of this most complicated and curiously drafted measure. Surely it is remarkable that, after all the opportunities for consideration which His Majesty's Government have enjoyed, they have made no contribution to the literature of this Bill except the two drafting Amendments to Clause 5 standing in the name of the noble Earl the Lord President of the Council.

With regard to the clause before your Lordships, let me say how glad I was to hear my noble friend Lord Belper say that, although he was unable to support the Amendment moved by my noble friend Lord Cadogan as it stood, he entirely appreciated the objects with which that Amendment had been put forward. The Amendment may be an imperfect Amendment; I think it quite possible that the principle for which we are contending might be better expressed; but what we do feel is that, if injustice is to be avoided, some means must be found of giving to what I may call the dissentient minority the religious instruction which they desire in the school itself and not in an outside school. We all know that nothing is so difficult as to establish the fact that what can be properly and really called alternative accommodation equally accessible and equally convenient is to be found in any particular area; and where that accommodation cannot be provided, there my noble friend's Amendment stipulates that the dissentient minority should, if possible, be provided for in the school itself.

An attempt has been made to show that the demand of my noble friend would impose an intolerable burden, either upon the Board of Education or upon the local education authority. I cannot help thinking, from things which have been said about this Amendment, that many noble Lords do not really appreciate either the intention or, indeed, the actual working of the Amendment. The whole thing depends upon the ability of the parties to satisfy the Board of Education that this accommodation can really be given without injustice or inconvenience to the parties. Some of my noble friends read this Amendment as a suggestion that these schools are to be filled with teachers representing every conceivable variety of denomination, but that is not to be found in the Amendment at all. I take it that the case my noble friend has in his mind is where there is a dissentient minority which is not only substantial but homogeneous. There would be no great difficulty, say, in a school with five teachers, in arranging that one member of the staff should give the religious instruction that the minority desired. Suppose, for example, a Church of England school with twenty-five Nonconformist children. Why should you not arrange with one member of the staff, under this proposed clause, to give to that minority Cowper-Temple teaching? Is there any material difficulty? I do not believe it for a moment.

LORD BELPER: In the case of a minority who required special teaching the Cowper-Temple teaching would not be what they required.

*THE MARQUESS OF LANSDOWNE: I think my noble friend will find it in the actual wording of the Amendment. Then I take the obligation which is imposed on the local education authority. All that the local education authority is called upon to do is to permit this teaching to be given in certain cases.

LORD HARRIS: To provide the teaching.

*THE MARQUESS OF LANSDOWNE: They "may" do so.

LORD HARRIS: It says that sufficient teaching shall be provided.

*THE MARQUESS OF LANSDOWNE: The words are "the Board may require" and the local authority "shall permit the arrangements" where the major facilities stipulated for under the clause have to be provided. It is a consequential permission. I cannot bring myself to believe that either in the case of the local education authority or in the case of the Board of Education is there any duty imposed which could not with ordinary common sense and ordinary goodwill be satisfactorily discharged. But, as I said before, this is a complicated Bill. The Amendments to it necessarily partake of the complicated character of the parent measure, and it is quite possible that the object which we have in view might be accomplished in a better way. If His Majesty's Government are ready to give the matter their consideration and to help us in bringing this desirable result about, I would recommend my noble friend Lord Cadogan not to insist on his form of words. He has already intimated to the Committee that he does not intend to press his proviso which deals with teachers. If he goes to a division on the earlier part of the Amendment I shall vote with him; but it is by no means inconceivable that a simpler and better way of arriving at a satisfactory result might be discovered.

*LORD HARRIS said the noble Marquess appeared to have an idea that his noble friend and himself were raising an objection to the Amendment which was largely fanciful. He did not think the noble Marquess quite appreciated the objection which they raised last night and were again raising to-day. They asked him to consider the difficulties which would arise under the Amendment. So far as the major part of the Amendment was concerned he, and he imagined his noble friend below him, would vote for it with the greatest pleasure, but he thought it would be wiser that the obligation of providing teachers should be with the denominations and not be thrown on the local education authorities. No doubt arrangements would have to be made to enable schoolmasters to maintain discipline and have control over any individuals brought in for the purpose of giving denominational education, but, if that were possible, he thought it would be the much wiser course. The objection they had was not to the major part of the Amendment, but to the two subsections which in effect threw upon the education authority of the county the obligation of providing denominational teachers. In carrying out the principle of co-ordination embodied in the Act of 1902 councils had incurred heavy expense in the training of teachers, and he regarded with dismay the prospect of an additional obligation to train teachers in various denominational creeds. That was a difficulty which he hoped would be considered. He ventured to suggest that there was another consideration apart altogether from the educational one—would it be tactically wise to ask ratepayers to pay for denominational teaching in training colleges? Would it not be raising up another host of difficulties in addition to those already existing. He was afraid that the number of those who declined to pay rates would be very largely increased if on the shoulders of the whole of the ratepayers of the county was thrown the obligation of paying for the religious training of those who were being educated at training colleges and possibly pupil teachers as well. He would ask his noble friend below him, Was that a tactically wise proposal to send down to the House of Commons, and possibly to ask the opinion of the country upon at some future time?

THE MARQUESS OF SALISBURY said his noble friend had stated most frankly that he entirely accepted the earlier part of the Amendment, but he had added some very interesting observations, founded upon expert knowledge and experience, with regard to the latter part of the Amendment. His noble friend Lord Cadogan had intimated that he would not press at the present moment the proviso at the end of his Amendment; and therefore perhaps he might all the more freely say a word or two about its wording with a view to its possible reappearance at a future date. He agreed with the noble Marquess the Leader of the House that improvements might be made in the wording of the Amendment, but the intention was that where a school asked for extended facilities and could offer accommodation to the dissentient minority the Board of Education might give consent. There would not be an obligation upon a local authority to appoint teachers, but unless they could be appointed the Amendment could not be availed of. His noble friend had spoken of a great variety of creeds. It was expressly stated in the Amendment that all it was necessary to provide, in order that the clause might have effect, was Cowper-Temple teaching.

THE EARL OF CREWE: I beg the noble Marquess's pardon. The Amendment says—

> "But if the applicants show to the satisfaction of the Board of Education that suitable arrangements can be made in the school for enabling children whose parents declare their desire for some other form of religious instruction than that for which the extended facilities are afforded to receive such other instruction, or failing that, instruction in accordance with Section 14 of the Elementary Education Act, 1870. . . . . ."

THE MARQUESS OF SALISBURY said that if it was impracticable to give the minority children instruction according to their faith because there were no teachers able to give it, it would satisfy the conditions of the Amendment if Cowper-Temple religion was provided.

THE DUKE OF DEVONSHIRE: My Lords, I am afraid I am unable to go so far as my noble friends Lord Belper and Lord Harris in giving assent to even the first portion of this proposed clause. I could not assent to that portion of the proposed Amendment because it certainly involves in some form or another an attempt to introduce the principle of facilities all round. I have not been convinced, and certainly nothing which I have heard in the course of this discussion has helped to convince me, that such a system can possibly be grafted on the organisation of our schools.

There are one or two details involved in the adoption of the first part of this Amendment to which I desire for a moment to call attention. In the first place, I would point out to my noble friend Lord Cadogan that if his Amendment could be inserted anywhere, this at all events is not the place in which it should be inserted. Under the clause there are certain applicants who apply that extended facilities may be given to a certain school. My noble friend proposes that these applicants are to show to the satisfaction of the Board of Education that suitable arrangements can be made, and so on. I desire to point out that, so far as we have gone, the Board of Education can know nothing whatever about the subject. The whole of the transaction dealt with in this clause is one between certain applicants who desire extended facilities to be given in the school and the local education authority; the matter has never come before the Board of Education at all. Under the structure of this and the succeeding clauses the question does not come before the Board of Education until an appeal is made to them against some decision given by the local education authority. Therefore, at this stage at all events, it is quite impossible for the Board of Education to interfere—in fact, they have no knowledge whatever of the matter.

There is another question, perhaps of detail, which I do not think has yet been referred to, but on which I desire to say a word or two. The words in the first part of the Amendment involve the necessity—I think the invidious necessity—of requiring a declaration from a certain number of parents. The schools we are considering are transferred schools. From the fact of their transference under the Bill Cowper-Temple teaching will be the normal religious education given in them, and the parent of every child attending the school will be entitled to claim for his child such Cowper-Temple teaching. If the extended facilities are applied for and granted by the local education authority, Cowper-Temple teaching will cease to be the normal religious instruction in the school. The Bill provides in that case that alternative accommodation shall be provided for the child elsewhere, but it is open to the parent, if he objects to the religious instruction which will hereafter be given in the school, without attracting public attention to his act, simply to transfer his child to another school. But under the Amendment of my noble friend in certain cases it will not be necessary to provide alternative accommodation, and unless he and a certain number of other parents make a declaration which may possibly involve very inconvenient consequences to them, a declaration opposed to the wishes of the majority of his neighbours, he will not secure the teaching he requires even in the school itself. I think that the necessity of any declaration on the part of the parent to obtain for his child the religious instruction, to which under the law as it at present stands he is entitled, is imposing upon him an invidious necessity which I do not think can very easily be justified.

My further and, perhaps, principal objection to the Amendment relates to the subsequent provisions which it is proposed at present to postpone. I see very little use in debating the general principle in the first part of the Amendment unless we have some conception of how we are to carry it out in practice. The method indicated in the latter part of the Amendment does appear to me to involve placing upon the local education authorities and the Board of Education responsibilities in respect of making arrangements and providing for religious teaching and religious teachers, for which I believe no precedent exists in our educational legislation, and which, in my opinion, may involve consequences very much wider than any which we can easily foresee at the present moment.

VISCOUNT RIDLEY asked whether, before going to a division, the noble Earl would not reconsider his Amendment with a view to bringing it up again at a later stage.

EARL CADOGAN said he was placed in a position of some difficulty at that moment. He confessed that, notwithstanding the long discussion that had taken place upon his Amendment, he was not yet convinced that it could not be made useful and assist in the improvement of the Bill. He had already expressed his readiness to postpone the consideration of the two provisos, but if the general feeling of the Committee was that the Amendment should not be pressed he did not wish to put noble Lords to the trouble of a division. He would, however, be glad if the principle of the Amendment could be affirmed, so that at a later stage it might be made a useful addition to the Bill.

THE CHAIRMAN OF COMMITTEES reminded their Lordships that an Amendment to the Amendment had been proposed by Lord Clifford of Chudleigh.

*LORD CLIFFORD OF CHUDLEIGH said he was willing to withdraw his Amendment.

Amendment to the proposed Amendment, by leave, withdrawn.

EARL CADOGAN asked leave to withdraw his Amendment.

*THE EARL OF CREWE: We are strongly of opinion that this Amendment should not be withdrawn but negatived. The discussion upon it has occupied us for a considerable part of last evening and for an hour and a half to-day, and I think the sense of the Committee ought to be taken on the Amendment.

THE DUKE OF NORFOLK: Are we to divide on the question that leave be given to withdraw the Amendment?

THE CHAIRMAN OF COMMITTEES: No. The Question is that this Committee do agree with the first part of the Amendment (the part preceding the two provisos).

LORD BALFOUR OF BURLEIGH: Ought we not to take a division on the question of whether or not the Amendment be withdrawn?

THE MARQUESS OF RIPON: No; when a proposal to withdraw an Amendment is objected to, a division must be taken or else the Amendment negatived.

THE CHAIRMAN OF COMMITTEES: I think the noble Marquess is correct.

On Question, Amendment negatived.

THE LORD BISHOP OF HEREFORD moved to substitute "shall" for "may" in that part of the clause empowering the local authority to permit the teachers to give the desired religious instruction. He said the provision, as he proposed to amend it, would read—

> "Where extended facilities are so afforded the local authority shall also, if they think fit, permit the teachers employed in the school to give the instruction desired, but not at the expense of the authority."

He said he had a further Amendment lower down to make quite explicit the right of the teacher to refuse to give the religious instruction if he pleased.

Amendment moved—

> "In page 4, line 2, to leave out 'may' and to insert 'shall.'"—*(The Lord Bishop of Hereford.)*

THE LORD BISHOP OF ST. ASAPH urged the inclusion subsequently of the words in the second Amendment "provided that they desire to give it." His sole reason was to make quite explicit that the right of the teacher remained. The course of this debate had shown that it was necessary to make everything as explicit as possible.

*THE MARQUESS OF LANSDOWNE: I was under the impression that it had been suggested the other evening by the noble Earl opposite, and that the suggestion had received a considerable amount of support in the Committee, that all Amendments relating to teachers should be postponed until we got to Clause 8. This Amendment distinctly raises a question relating to teachers.

*THE EARL OF CREWE: My Lords, there is no difference of opinion between noble Lords opposite and ourselves as to the practice of the teacher giving the teaching in schools of this particular kind. Therefore, that question does not arise. This Amendment is closely bound up with the whole question of the substitution of the word "shall" for "may;" it is really part of that scheme. Under our scheme as it was originally started, when the word "may" was in the Bill there was an appeal to the Board of Education as to the arrangements offered. If it was impossible to come to an arrangement, the Board might either make an order, or, in the last resort, allow the school to be turned into a State-aided school. The substitution of the word "shall" for "may" obviously sweeps away all that appeal; and consequently this Amendment, although we very strongly object to it, is in a sense a consequential Amendment upon the substitution of the word "shall" for "may."

When we come to Clause 5, I think it will probably be desired by the House not to proceed with the consideration of that clause at all, because it is rendered useless by the action of the House on the question of "may" and "shall." We, of course, do not consider it proper that a direct injunction should be placed upon the local authority to appoint a teacher of a particular religious complexion. Upon that point we are perfectly clear, and we in our Bill as it was introduced made it possible, as nearly as we could without infringing that principle, to arrange that the teacher in Clause 4 schools should be of the same faith as the great majority of the children in the school.

THE LORD ARCHBISHOP OF CANTERBURY: Will the noble Earl kindly explain how that would be?

*THE EARL OF CREWE: In this way. It being within the competency of the local education authority to appoint a teacher of the special denomination, and an appeal lying to the Board of Education on the general arrangements, it was, of course, competent for the Board of Education to make any representations to the local authority; and, in the event of the local authority being unwilling to make such arrangements as were desired, the Board of Education would allow the school to be turned into a State-aided school, when, of course, it could have any teacher it pleased.

THE LORD ARCHBISHOP OF CANTERBURY: Does the noble Earl say that under the Bill as introduced there is an appeal to the Board of Education against the action of the local authority because they do not appoint a teacher of a particular denomination?

*THE EARL OF CREWE: It can be done under sub-section (4) of Clause 5, which enables the Board of Education to turn a school into a State-aided school. The sub-section runs as follows—

> "The parents of at least twenty children attending a transferred voluntary school, if aggrieved by the mode in which extended facilities are afforded by a local education authority, may appeal to the Board of Education, and that Board, if satisfied, after considering the circumstances of the case, that there are reasonable grounds for the appeal, may make an order allowing the school to continue as a State-aided school."

THE MARQUESS OF LONDONDERRY asked whether he was to take it that there was an effective appeal against the action of the local authority. He did not quite understand the noble Earl.

*THE EARL OF CREWE: I am afraid I do not quite follow the noble Marquess. If the parents of at least twenty children feel aggrieved by the mode in which extended facilities are afforded they may appeal. It would, undoubtedly, be a grievance if a Unitarian teacher was appointed in a Roman Catholic school, a thing which we hope is practically impossible and which could only happen as the outcome of a condition of complete exasperation between the two parties. If that were to happen then the remedy of the parents would be an appeal to the Board of Education, who could, if they chose, allow the school to continue as a State-aided school.

The Earl of Crewe.

THE MARQUESS OF LONDONDERRY: Yes, but only as a State-aided school. The school does not remain as it was before. It would lose the position which it originally held.

*THE EARL OF CREWE: It would lose the rates, and it would become a self-controlled school not under the management of the local authority.

LORD HENEAGE thought it would be better to allow the sub-section to stand without further discussion now, on the understanding that they were in no way prejudiced in discussing the whole question of teachers later.

LORD STANLEY OF ALDERLEY insisted that concurrently with the right of the local authority to give or withhold permission for definite religious instruction, was the right of the local authority to appoint teachers without the imposition of tests. The Amendment of the right rev. Prelate was very much more serious now than it would have been if Clause 4 had been unamended, for their Lordships had altered the Bill so that now a bare majority of the Church of England could turn a school into a Clause 4 school. He could quite understand that in a rural parish influence might get the adhesion of a bare majority, though it might consist of many lukewarm Churchmen. There might be an excellent man belonging to the Methodist or the Presbyterian Church, who was thoroughly respected in the parish, in every way qualified for the position, and likely to become a good headmaster. Was it to be said that if, on a canvass, a vote was procured to make the school a special facility school, they were to compel the local authority to pass over the man who in their opinion was the best in favour of some man who bore an ecclesiastical label? He strongly contended that the liberty of the local authority should be kept as it came up from the House of Commons.

THE LORD BISHOP OF ST. DAVIDS asked how, in the circumstances, it was possible for them to have extended facilities at all. According to the noble Earl the Lord President of the Council, if the parents of a certain number of children were aggrieved at the mode in which these extended facilities were being administered, and particularly if they were aggrieved at the appointment of a teacher not belonging to the faith for the teaching of the tenets of which facilities had been given, their only remedy was to appeal to the Board of Education, with the inevitable result that, if they proved their case, they would lose the extended facilities, and the school would become a State-aided school. He had been of opinion for some time that the course of this discussion was a *reductio ad absurdum* of the proposals of His Majesty's Government.

THE LORD BISHOP OF HEREFORD said he was perfectly ready to adopt the suggestion of the noble Marquess the Leader of the Opposition and postpone the Amendment until Clause 8 was reached.

VISCOUNT LLANDAFF said the question before the Committee was not the appointment of teachers, but whether the local authority should or should not permit the teachers in the school to give special religious instruction. Surely that ought not now to be left a matter of option to the local education authority.

*THE EARL OF CREWE: I am so far in agreement with what has been said by the noble Viscount that I think I stated just now that in one respect this Amendment must be regarded as being of a consequential character. Your Lordships have chosen to turn "may" into "shall" and therefore, from your point of view, I imagine you regard this further provision as indispensible. That was the reason why I thought it better to take the discussion now than to postpone it. The right rev. Prelate the Bishop of St. Davids has asked me a conundrum, and it is one which is not capable of an answer "yes" or "no." What we do not admit is that local education authorities should have the power to restrict appointments to a particular school to persons of a particular faith by asking them before they receive their appointment whether they hold a particular religious view. But if the right rev. Prelate asks me whether I do not think it exceedingly likely that the local authority will know, as those things are known, to what faith a particular teacher may belong, I am bound to say that in my opinion it is exceedingly likely. But there is a very marked distinction between the recognition of that fact and encouraging the putting of a question to candidates before their appointment and allowing the appointment to depend on their answer.

THE EARL OF CAMPERDOWN: Surely this question has nothing to do with the appointment of teachers.

*THE EARL OF CREWE: Absolutely nothing.

THE EARL OF CAMPERDOWN: Then the greater part of the discussion has been entirely irrelevant. The question is whether the local education authority may permit or shall permit teachers to give certain instruction. That has nothing to do with the appointment of teachers, and therefore does not fall under Clause 8 and is much better decided now.

LORD ASHBOURNE asked whether the Government proposed to drop Clause 5.

*THE EARL OF CREWE: It will be a question whether we continue more than one small part of it.

LORD ASHBOURNE thought this was a very grave statement and advised their Lordships to read in advance Clause 5, which introduced for the first time the important element of State-aided schools. It was very necessary to consider every paragraph in that clause. It was there provided that if twenty parents felt aggrieved by the mode in which extended facilities were afforded by the local education authority they might appeal to the Board of Education, and, if their complaint was well founded, what happened? Why, the Board of Education had power to make an order allowing the school to continue as a State-aided school. He regarded that——

THE EARL OF CAMPERDOWN: Surely the question before the Committee is not Clause 5. Would it not be better to defer the discussion on that clause until we reach it?

LORD ASHBOURNE maintained that he was entirely in order in view of the statement of the noble Earl the Lord President that when they came to Clause 5 he proposed to drop it.

*THE EARL OF CREWE: I did not say that we proposed to drop Clause 5, but that when we came to it your Lordships, in my opinion, viewing it in the light of the Amendments made to the present clause, would probably think it undesirable to proceed with it. There is one sub-section, however, to which I think that does not apply.

*THE LORD PRIVY SEAL (The Marquess of RIPON): My Lords, the question at issue is, what amount of trust are you prepared to place in the local authorities. For myself, I think it wise that you should, in the interest of religious instruction, place a large amount of confidence in the action of local authority. I believe that there may be cases in which they will not act as was the obvious intention of this Bill as originally proposed by the Government, but I believe that in the great majority of cases you will find that they will be inclined honestly to carry out the intentions of the law. I do think it is very greatly in the interests of the denominational schools dealt with that you should act, in the first instance, at all events, upon the principle that you do trust these local authorities to carry out the intentions of the clause, and not make compulsory upon them the course which you intend them to pursue. The Bill as it was proposed by His Majesty's Government does provide an appeal, as the noble and learned Lord has just said, under Clause 5 to the Board of Education if the local authority does not carry out the spirit of the Act; and it does provide a means, which I will not discuss at the present moment, by which the object of the denominational school may be attained. I cannot think that we should be precluded from discussing at all events a portion of Clause 5 when it comes forward; but I am very anxious that you should understand that the proposal of the Government was this, that while they did not in this clause or in the previous clause imperatively order the local authority to take a certain course, they did provide a method of meeting the desires of the denominational schools upon that basis if the local authority did not carry out their view.

*THE LORD ARCHBISHOP OF CANTERBURY said he understood the noble Marquess to say that the Government had provided in the Bill such a mode of appeal as would maintain the rights acquired by the schools for extended facilities. It seemed to him that, as the Bill ran, when that appeal was made to the Board of Education by the aggrieved school, it would not be in the power of the Board to maintain the school in the rights it had already acquired. All that the Board could do, would be to say, "You may go on if you can, without any aid from the rates, as a State-aided school." Therefore, it would not be in their power, on appeal, to retain the position that had been promised, and, perhaps provisionally, afforded, of having the teacher who might be in consonance with the opinions of those who owned and cared for what was called by the noble Earl a frankly denominational school. He agreed that, in the case of a Roman Catholic or Jewish school, the probability of the appointment of a teacher who would not be in sympathy with the feelings of the owners or maintainers of that school was remote, but it was not at all improbable that a teacher might be appointed in a Church of England school about whom no further inquiry was thought necessary than that he called himself a member of the Church of England, and who might be on general grounds the very last man whom the people whose interests the Government said they desired to protect would have chosen as a teacher for their school. They were now told that the only remedy in that case, even where the rights had already been acquired, would be that the school might possibly be allowed to go on in the inferior position of a State-aided school. If that were the complete explanation of the way in which Clause 4 was meant to be a protection for what more than one member of the Government had called "the preservation of the denominational principle" in these particular schools, he must confess that it was most disappointing.

*THE MARQUESS OF LANSDOWNE: I only rise for the purpose of saying that if this discussion has wandered away from the Amendment before the Committee and into the region of the fifth clause we are not to blame for that digression. With regard to the Amendment itself, I, for one, accept the view of the noble Earl opposite that the Amendment is, strictly speaking, consequential upon the Amendment which the Committee has already carried. We have said, at the beginning of the clause, that the local education authority "shall" afford these extended facilities in certain cases, and it therefore appears to me to follow inevitably that the same local education authority "shall," in the same circumstances, give the necessary permission to teachers. We shall therefore vote for the Amendment.

THE LORD BISHOP OF HEREFORD reminded the Committee that the only question with which the Amendment dealt was that of permission; it did not deal at all with the question of appointment. What it provided was that in the special schools the teachers who had been appointed should not be prohibited from teaching. Having established a school of this character it was only a matter of common sense that they should leave the teachers in that school free to give this instruction if they wished to do so. He did not think the Amendment would make any actual difference in the administration of the clause, but the fact of its being in the Bill would give a great deal of confidence to all who were interested in this particular class of school.

On Question, "That the word 'may' stand part of the clause."

Their Lordships divided:—Contents, 47; Not contents, 195.

CONTENTS.

Crewe, E. (*L. President.*)

Ripon, M. (*L. Privy Seal.*)

Northampton, M.
Beauchamp, E.
Carrington, E.
Chesterfield, E.
Craven, E.
Kimberley, E.
Russell, E.
Temple, E.

Althorp, V. (*L. Chamberlain.*)

Boston, L.
Brassey, L.
Burghclere, L.
Colebrooke, L.
Coleridge, L.
Courtney, of Penwith, L.
Denman, L. [*Teller.*]
Elgin, L. (*E. Elgin and Kincardine.*)
Eversley, L.
Farrer, L.
Fitzmaurice, L.
Glantawe, L.
Grimthorpe, L.
Hamilton of Dalzell, L.
Haversham, L.
Hemphill, L.
Joicey, L.
Loch, L.
Mendip, L. (*V. Clifden.*)
Monskwell, L.
Nunburnholme, L.
O'Hagan, L.
Overtoun, L.
Pirrie, L.
Reay, L.
Rendel, L.
Ribblesdale, L. [*Teller.*]
Sandhurst, L.
Saye and Sele, L.
Sefton, L. (*E. Sefton.*)
Shuttleworth, L.
Stanley of Alderley, L.
Tweedmouth, L.
Wandsworth, L.
Weardale, L.
Welby, L.

NOT-CONTENTS.

Canterbury, L. Abp.
York, L. Abp.

Norfold, D. (*E. Marshal.*)
Bedford, D.
Devonshire, D.
Grafton, D.
Leeds, D.
Marlborough, D.
Newcastle, D.
Northumberland, D.
Sutherland, D.
Wellington, D.

Abergavenny, M.
Ailesbury, M.
Bath, M.
Bute, M.
Hertford, M.
Lansdowne, M.
Salisbury, M.
Winchester, M
Zetland, M.

Abingdon, E.
Albemarle, E.
Ashburnham, E.
Bathurst, E.
Bradford, E.
Cadogan, E.
Camperdown, E.
Carnwath, E.
Cathcart, E.
Cawdor, E.
Clarendon, E.
Darnley, E.
Dartrey, E.
De La Warr, E.
Denbigh, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Feversham, E.
Fortescue, E.
Gainsborough, E.
Halsbury, E.
Huntingdon, E.
Ilchester, E.

Kilmorey, E.
Lathom, E.
Lindsey, E
Londesborough, E.
Lucan, E.
Lytton, E.
Mar and Kellie, E.
Morton, E.
Mount Edgcumbe, E.
Nelson, E.
Northbrook, E.
Northesk, E.
Onslow, E.
Pembroke and Montgomery, E.
Plymouth, E.
Powis, E.
Radnor, E.
Saint Germans, E.
Scarbrough, E.
Shaftesbury, E.
Shrewsbury, E.
Stamford, E.
Vane, E. (*M. Londonderry*)
Waldegrave, E. [*Teller.*]
Westmeath, E.
Yarborough, E.

Bridport, V.
Churchill, V. [*Teller.*]
Falkland, V.
Falmouth, V.
Goschen, V.
Halifax, V.
Hill, V.
Hutchinson, V. (*E. Donoughmore.*)
Iveagh, V.
Knutsford, V.
Llandaff, V.
Ridley, V.
St. Aldwyn, V.

Bath and Wells, L. Bp.
Birmingham, L. Bp.
Chester, L. Bp.
Chichester, L. Bp.
Hereford, L. Bp.
Lichfield, L. Bp.
Lincoln, L. Bp.
London, L. Bp.
Norwich, L. Bp.
Oxford, L. Bp.
Peterborough, L. Bp.
Ripon, L. Bp,
St. Albans, L. Bp.
St. Asaph, L. Bp.
St. David's, L. Bp.
Southwark, L. Bp.
Wakefield, L. Bp.
Winchester, L. Bp.

Abinger, L.
Addington, L.
Alington, L.
Allerton, L,
Ampthill, L.
Armstrong, L.
Ashbourne, L.
Ashcombe, L.
Avebury, L.
Balfour, L.
Barnard, L.
Belhaven and Stenton, L.
Belper, L.
Blythswood, L.
Bolton, L.
Borthwick, L.
Boyle, L. (*E. Cork and Orrery.*)
Braye, L.
Brodrick, L. (*V. Midleton.*)
Burton, L.
Calthorpe, L.
Carysfort, L. (*E. Carysfort.*)
Chaworth, L. (*E. Meath.*)
Cheylesmore, L.
Clanwilliam, L. (*E. Clanwilliam.*)
Clements, L. (*E. Leitrim.*)
Clifford, of Chudleigh L.
Clonbrock, L.
Colchester, L.
Crawshaw, L.
Dawnay, L. (*V. Downe.*)
De Freyne, L.
de Ros, L.
Digby, L.
Douglas, L. (*E. Home.*)
Ebury, L.
Ellenborough, L.
Emly, L.
Estcourt, L.
Faber, L.
Fairlie, L. (*E. Glasgow.*)
Fermanagh, L. (*E. Erne.*)
Fingall, L. (*E. Fingall.*)
Forester, L.
Gage, L. (*V. Gage.*)
Gerard, L.
Gormanston, L. (*V. Gormanston.*)
Harlech, L.
Harris, L.
Heneage, L.
Herries, L.
Hothfield, L.
Howard of Glossop, L.
Kelvin, L.
Kenmare, L. (*E. Kenmare.*)
Kenyon, L.
Kinnaird, L.
Knaresborough, L.
Lawrence, L.
Leigh, L.
Leith of Fyvie, L.
Lovat, L.
Macnaghten, L.
Manners, L.
Masham, L.
Meldrum, L. (*M. Huntly.*)
Middleton, L.
Montagu of Beaulieu, L.
Mowbray, L.
North, L.
Oranmore and Browne, L.
Ormathwaite, L.
Penrhyn, L.
Rathmore, L.
Ravensworth, L.
Redesdale, L.
Robertson, L.
Sackville, L.
Sanderson, L.
Sandys, L.
Seaton, L.
Shute, L. (*V. Barrington.*)
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*)
Somerton, L. (*E. Normanton.*)
Stalbridge, L.
Stanmore, L.
Stewart of Garlies, L. (*E. Galloway.*)
Stratheden and Campbell, L.
Tennyson, L.
Teynham, L.
Waleran, L.
Wenlock, L.
Wolverton, L.

Word "shall" inserted.

VISCOUNT LLANDAFF moved the omission of the words "also if they think fit."

Amendment moved—

"In page 4, line 2, to leave out the words 'also if they think fit'"—(*Viscount Llandaff.*)

*THE EARL OF CREWE: I have no objection to the Amendment.

On Question, Amendment agreed to.

VISCOUNT RIDLEY moved an Amendment to provide that the local education authority shall take into consideration any application made to them with respect to a school under this section if it is made by "the owners of the schoolhouse or" the parents of at least twenty children attending the school. He said this was not a very important Amendment, and he thought it was one which His Majesty's Government might accept, as they themselves had inserted it in Clause 5. In that clause the Government gave the same right to the owners as was given to the parents, and he did not see why, if the owners of the schoolhouse desired it, they should not have the same rights under this clause.

Amendment moved—

"In page 4, line 7, after 'by' to insert 'the owners of the schoolhouse or'"—(*Viscount Ridley.*)

*THE EARL OF CREWE: The noble Viscount has quite clearly stated that in the first instance the offer would be made by the owners because there is no one else who could make it. Then if the noble Viscount looks at sub-section (4) of Clause 4 he will see that—

"An application may be made under this section as respects any existing voluntary school for a permission to take effect in the event of the school becoming a transferred voluntary school, and the provisions of this section shall apply in such a case as they apply in the case of a school which has actually become a transferred voluntary school."

That is to say, the initiative does come from the owner. It certainly appeared to us that, as regards the future, when any application of this kind had to be made it would come with more reason and propriety from the parents than from the owners of the school. I do not, however, regard the Amendment as one of first-rate importance, and I do not seriously object to it if the noble Lord presses it.

VISCOUNT RIDLEY: I should like to press the Amendment if the noble Earl will allow me.

On Question, Amendment agreed to.

VISCOUNT LLANDAFF moved the omission of the words requiring the transfer of schools free of rent as the condition of extended facilities being afforded. The question of rent, he argued, should be left open as a matter for agreement. These were the words which had been designated by Viscount Goschen as the shabby and mean part of the clause, and he thought that was an opinion their Lordships generally would entertain.

Amendment moved—

"In page 4, line 13, to leave out from 'them' to the end of the sub-section."—(*Viscount Llandaff.*)

*THE EARL OF CREWE: I hope noble Lords opposite will not support the Amendment moved by the noble Viscount. Surely it is obvious that the conditions in these cases are exceedingly different. These schools, as we intended, are to be denominational in character, and one feature of them is that the religious instruction which is provided in council schools under those restrictions will not be given. If rent is to be paid, in respect of what is it to be paid? The local authority confer a great benefit upon the denomination to whom the school belongs by executing all the repairs, and I confess I cannot see what the valuable consideration is in respect of which rent can be paid.

VISCOUNT ST. ALDWYN hoped the Amendment would not be pressed. It seemed to him that the argument of the noble Earl the Lord President was quite just. Those who built and maintained these schools did so for the purpose of giving in them secular education on a religious basis. That would still remain possible under the clause. To compel local authorities to pay rent for the schools would be practically imposing upon them the cost of the religious instruction, which he thought nobody wished to do.

VISCOUNT LLANDAFF thought the noble Viscount had hardly understood the effect of the Amendment. They would not be forced to pay rent; it would be a matter of agreement. The noble Earl the Lord President of the Council had asked what consideration there would be for this rent. There would be the same consideration as under Clause 3, by which clause the local education authority had the use of the school as a public elementary school during five days in the week. The consideration given was exactly the same in this case.

LORD STANLEY OF ALDERLEY said the Amendment was a distinct attempt to impose a charge on the rates which, as their Lordships knew, was not in the power of that House; but he did not know whether the noble Viscount who had moved the Amendment would take a leaf out of the episcopal book and move, as was done in

1902, the addition of the words "provided that no charge is imposed on the rates thereby."

On Question, Amendment negatived.

LORD HERRIES rose to move the insertion of the words at the end of sub-section (2)—

"The rent being reserved by the local education authority as payment by the owners for the special religious instruction given in the school by teachers qualified to give it."

*THE EARL OF CREWE: I should like to ask whether this Amendment is in order. I thought we had decided to retain the words to the effect that no rent should be paid. The noble Lord now moves an Amendment as to how the rent is to be allocated and spent. We have agreed that extended facilities shall not be afforded except where the use of the schoolhouse is given, or the schoolhouse is transferred, to the local education authority free of any rent or other payment in respect of the use of the schoolhouse for the purposes of a public elementary school. As those words are left in I do not see how it is competent for us to discuss the uses to which the rent is to be put.

LORD HERRIES said the rent was not to be paid; it was reserved by the local education authority because the special religious instruction was being given in the school. Passive resisters and Nonconformists generally maintained that they did not wish to pay for religious instruction with which they did not agree. He contended that they were not asked to pay. No rent was charged for the schools, so that the money could go towards the payment of the persons who were giving the special religious instruction. His Amendment was more of an explanation, and its object was to show that the local authorities would not be paying for religious instruction because they were not paying any rent; it was that rent, which would otherwise be due to the owners of the schools, which was being devoted to the payment of the cost of giving religious instruction.

Amendment moved—

"In page 4, line 18, after 'school' to insert 'the rent being reserved by the local education authority as payment by the owners for the special religious instruction given in the school by teachers qualified to give it.'"—(*Lord Herries.*)

*THE EARL OF CREWE: My Lords, it seems to me that this Amendment represents a sort of game, if I may say so, of make-believe. No rent is to be paid by the local authority but the local authority is to go through a sort of form of pretending that in every individual case the rent precisely pays for the religious instruction. Those things have no relation to each other. In one case the religious instruction might be very expensive and no rent would be payable, whereas in another case the religious instruction might be very much cheaper, and if rent were charged at all a considerable rent might have to be paid. Surely it is unreasonable to average those things together by making a sort of amiable pretence, in order to make things go smoothly, that in each case the rent would have been equal to the amount which religious instruction in that school would cost.

THE MARQUESS OF LONDONDERRY was glad the question had been raised; it served to mark the injustice of taking over buildings upon which enormous sums had been expended without equivalent return. When they considered what the voluntary schools had done in the past all fair men would recognise that they had a right to expect justice at the hands of the Government. If they turned to the other side of the question they found that religious education was given in provided schools which was not the kind of education those who supported denominational schools desired, and yet the latter had to pay for Cowper-Temple teaching in those schools.

THE LORD ARCHBISHOP OF CANTERBURY interposed in order that it should not be supposed that because they took no action to reject this no-rent clause, they accepted the proposal in the Bill as a right and fair agreement. It was one of the cruellest hindrances placed in the way of the hardest pressed groups of schools in the kingdom. They, however, would take no steps against it, because they wished it to be clearly understood that they regarded the matter of rent as nothing in the balance compared with the principle for which they were contending. He was anxious that no word should be spoken that could be twisted into a desire on their part to have this sacred and momentous question treated as a financial one. They were fighting for a righteous principle, the principle of religious liberty, against what they felt to be an intolerable hardship inflicted upon a great number of schools. They could not consent to be met by a promise, problematical or otherwise, of the payment of rent as if that could be a solatium for sacrifice of a principle they held dear and of rights for which they had sacrificed much, and which they desired to maintain

*THE MARQUESS OF LANSDOWNE: For the reasons which the most rev. Primate has given we much prefer not to take up the time of the Committee with the discussion of the question of rent. As for the Amendment of my noble friend behind me, I hope he will not press it. He has said with very great frankness that it was rather a statement of reasons than an endeavour to amend the language of the Bill, and I honestly must say I do not think the words as they stand on the Paper could appropriately be added to the text of an Act of Parliament.

Amendment, by leave, withdrawn.

THE LORD BISHOP OF WINCHESTER moved an Amendment requiring the local authority to give permission for the inspection of the special religious instruction under this section, no part of the expense thereof being paid by the authority. The noble Earl the Lord President, in the discussion on the previous clause, had given them kindly and sympathetic encouragement to suppose that the Government would look favourably upon the recognition of such inspection, and, if the noble Earl would renew the assurance that the question would be sympathetically considered before the Report stage, he would not persist in his Amendment.

Amendment moved—

"In page 4, line 18, after 'school' to insert 'a local education authority shall give permission that the religious instruction of a special character given under this section may be inspected, but no part of the expense of such inspection shall be paid by the local education authority.' "—(*The Lord Bishop of Winchester.*)

*THE EARL OF CREWE: I shall be very happy to give the assurance asked for.

Amendment, by leave, withdrawn.

*LORD CLIFFORD OF CHUDLEIGH moved to amend sub-section (2) by providing that a permission given under this section might be at any time "after the expiry of five years" withdrawn by the local education authority. It appeared to him desirable that there should be some period of revision, which he had fixed as the quinquennial period, and not a mere arbitrary one.

Amendment moved—

"In page 4, line 20, after 'time' to insert 'after the expiry of five years.' "—(*Lord Clifford of Chudleigh.*)

*THE EARL OF CREWE: The suggestion of the noble Lord is that the term of five years should be allowed in every case for these schools. I should think it exceedingly probable that in most cases there is very little likelihood of any alteration being made within that period but still it is possible that there might. Therefore, we are unwilling to fetter the discretion of the local authority to the extent proposed. Our view is that, if the conditions change, the character of the school ought to change, and that it is not reasonable to say that because the facilities have been given once, they should, in spite of changed conditions, continue for any great length of time. I am afraid we could not agree to fetter the discretion of local authorities to the extend proposed.

*THE MARQUESS OF LADSDOWNE: I think there is some force in the arguments used by the noble Earl who has just sat down, and I am bound to say there is another consideration which weighs with me. We have altered this clause so that permission for these extended facilities may be obtained in consequence of the action of a bare majority of the parents. It seems to me that it would be scarcely reasonable, after that, to stipulate that there should be a five years period during which the facilities could not be withdrawn. For that reason I suggest that the Amendment should not be pressed.

Amendment, by leave, withdrawn.

VISCOUNT LLANDAFF moved to insert, after the words "a permission given under this section may be at any time withdrawn by the local education authority" the words "if an application to withdraw the same is made to them by the parents of not less than twenty children attending the school." He held that as the Bill provided that the application for special facilities must come from the parents of at least twenty children, there was even stronger reason for not allowing the permission to be withdrawn without a similar number of parents desiring it. Otherwise a cantankerous person or persons might ask for the facilities to be withdrawn, whereas the bulk of the parents of the children might desire them to continue. Therefore he thought there should be the same requirement for the withdrawal of facilities as for the granting of them.

Amendment moved—

"In page 4, line 20, after 'authority' to insert 'if an application to withdraw the same is made to them by the parents of not less than twenty children attending the school.'"—(*Viscount Llandaff.*)

*THE EARL OF CREWE: My Lords, I think somewhat similar arguments apply in this case also. I am sure that the noble Viscount's sole object is to ensure that the whole question shall not be reopened without reasonable cause. But supposing the matter were raised, as the noble Viscount suggests, by one or two busy-bodies, the local authority would not take any action. They are not obliged to take action in the matter. They may cause a ballot to be taken, and I certainly think they ought to hold the inquiry. I can quite imagine, in the case of some local quarrel, the parents of twenty children coming forward and objecting to the facilities being continued when in reality they ought to be continued. It does not by any means follow that the adoption of the noble Viscount's Amendment would necessarily tend to peace or prevent unreasonable applications on the part of minorities. I think it would be much better to leave the matter to the discretion of the local education authority.

LORD STANLEY OF ALDERLEY did not think the Amendment a reasonable one in the present state of the clause. The claim for special facilities had now been made applicable to village schools, many of which had only thirty or less children in them, and it would be obviously unreasonable in such a case to require an application from the parents of twenty children. He knew of a Roman Catholic school in Dorsetshire with only seven children. Therefore the relation of twenty had no bearing to the present state of the Bill.

Amendment, by leave, withdrawn.

VISCOUNT RIDLEY moved to amend sub-section (2) by adding, after the provision that "a permission given under this section may be at any time withdrawn by the local education authority, if, after causing a ballot to be taken and holding a public local inquiry with reference to the matter, they think," the words "or, in case of dispute with the owners, the Board of Education think." He explained that this Amendment was to a certain extent consequential upon an Amendment on which there was some slight misunderstanding. He had desired to move earlier in the clause to leave out "after holding a public local inquiry with reference to the application," and to insert the words "or, in case of dispute with the applicants for the facilities, if the Board of Education are satisfied;" that was to say, to give an appeal on the facts. It was, however, decided to leave the question of the public inquiry over. He asked the noble Earl the Lord President whether he did not think that the method he proposed was a better way of dealing with the question of appeals than that in the Bill.

Amendment moved—

"After 'think,' to insert, 'or, in case of dispute with the owners, the Board of Education think.'"—(*Viscount Ridley.*)

*THE EARL OF CREWE: My Lords, the noble Viscount is right in one sense in saying that his Amendment has a consequential flavour about it, and to a certain extent it follows, from his point of view, on the change in the words "may" and "shall." I see that at the end of this clause the noble Viscount proposes to insert a new sub-section, and I am not quite clear how far that may not cover the whole question of appeal owing to the introduction of the words "the owners of the schoolhouse." It appears to me that that is possible. What I wish the noble Viscount to understand is this. The only appeal to the Board of Education which we proposed was that in Clause 5, and that, so far as the first part of that clause was concerned, applied only to the original application to be made in respect of the school. It would not have applied, so far as that is concerned, to a subsequent application. The appeal of the parent under sub-section (4) of Clause 5, as noble Lords will have seen who have taken the trouble to look at my Amendment, was intended to be preserved, and the mistake arose owing to a draughtsman's error; but the appeal under sub-section (1) was not intended to survive in the event of a further application. If I do not divide the Committee on the Amendment it is only because I consider the substitution of the word "shall" for "may" makes this Amendment in a sense consequential, but I wish to point out to the noble Viscount that we object both to his Amendment and to the substitution of the word "shall."

On Question, Amendment agreed to.

Consequential Amendment agreed to.

*LORD CLIFFORD OF CHUDLEIGH moved to add at the end of sub-section (4) the following words:—"Provided that a prior right of admission to any school in respect of which extended facilities have been granted under this section shall be secured to the children of any parent residing within the area for which the school is available, on a signed declaration to the local authority that he wishes the child to receive the benefit of the special religious instruction given in the school." He argued that, special facilities having been given in a particular school, the places in that school should not be allowed to be filled by those who did not want the particular facilities, to the exclusion of those who did and for whom the school was so constituted.

Amendment moved—

"In page 4, line 39, after 'school' to insert 'provided that a prior right of admission to any school in respect of which extended facilities have been granted under this section shall be secured to the children of any parent residing within the area for which the school is available, on a signed declaration to the local authority that he wishes the child to receive the benefit of the special religious instruction given in the school.'"—(*Lord Clifford of Chudleigh.*)

*THE EARL OF CREWE: I can assure the noble Lord that we regard his point of view with considerable sympathy. The noble Lord is apparently afraid that in some cases artificial attempts may be made to fill up an extended-facilities school with children of a different faith, with a view ultimately of having the character of the school altered. I hope that is not likely to happen, although it might conceivably happen. Although the change would involve rather an important departure from existing practice, at the same time, holding as we do the view that these schools are to be specially denominational and to retain, if the parents of the children desire it, their specific denominational character, we are, as I have said, disposed to regard the noble Lord's Amendment with a good deal of sympathy. We would have no great objection to it if the proportion of children which was to decide the character of the school was allowed to stand at four-fifths; but we think it incompatible with the Amendment adopted last night changing the proportion to a bare majority.

THE EARL OF DENBIGH thought the objection which had been raised by the noble Earl to this Amendment a somewhat unreasonable one. His noble friend Lord Clifford was not aiming at preventing artificial attempts to fill up a school of this kind with children of a different faith; his object was to protect schools which were avowedly denominational and to which the Government had all along expressed their intention of affording facilities.

*THE EARL OF CREWE: The noble Lord is rather vexed with me without a reason. I did not at all argue against the proposal of the noble Lord. What I said was that it was incompatible with the Amendment adopted last night changing the proportion to a bare majority.

THE EARL OF DENBIGH could not follow the noble Earl's objection. They held that it was only fair, if it was desired to preserve the denominational character of a school, that at all events those who wanted the religious facilities should be given a prior right of getting into the school. That was all they claimed. They asked that those for whose benefit the school remained a denominational school should have a prior right when vacancies occurred over those who did not require the facilities. There was no wish to turn out children who were now in the schools.

THE LORD ARCHBISHOP OF CANTERBURY said that perhaps the Government would agree to the insertion of the words at this stage pending the ultimate decision of the question as to proportion. If the words were not inserted now it might be difficult to have them put in hereafter.

*THE EARL OF CREWE: I was assuming when I said what I did that the Amendment would be carried, and then we should have a further opportunity of considering the matter.

THE DUKE OF NORFOLK: May I ask why the proportion of a bare majority makes this Amendment unworkable?

*THE EARL OF CREWE: We do not think it is reasonable to give a prior right to places in a school which may only have a majority of one child of a particular faith or creed.

*LORD CLIFFORD OF CHUDLEIGH said his view was that if places had to be found for the minority when a school was made an extended facilities school, it seemed only reasonable that those who were out and desired to come into the school should have the right to do so.

VISCOUNT ST. ALDWYN thought there was a great deal of force in the argument of the noble Earl the Lord President that the Amendment depended on the majority required for securing extended facilities.

VISCOUNT CROSS also agreed that it all depended on the proportion.

On Question, Amendment agreed to.

*LORD CLIFFORD OF CHUDLEIGH, in moving an additional proviso dealing with the granting of extended facilities under certain circumstances, and a new sub-section setting up a parents' committee, said the subject-matter of his proposal was dealt with by Amendments standing in the name of the most rev. Primate and others, and it would probably be most convenient to take the main discussion when those Amendments were reached. As, however, the point in the Bill at which the Committee had arrived was that where the Amendment as drafted by him would properly come, and as his remarks might at a later part of the Bill be objected to on the ground that they dealt with Clause 4, which would then have been passed, he proposed to give his reasons in support of the Amendment, and then leave it to the Committee to say when the question could be most conveniently dealt with. The Amendment referred to what was generally known as the parents' committee, and was restricted to the schools with special facilities under Clause 4. There was an obvious gap in that clause, inasmuch as while it provided for the granting of the special facilities and the preservation of the "atmosphere," there was no indication as to who should see that those special facilities were carried out in the spirit in which they were asked for and given. It was evidently not the local authority, their business being simply to give the permission. At first, he fancied it would be the duty of the owners, but unless some particular safeguard were inserted, the owners might be practically removed altogether, because if the majority, whatever it might be, decided that the special facilities should be of a different character, the owners might find themselves ousted. Evidently the people who were to see to this point must be the parents of the children. Their views would decide the whole question, and it was only natural that they should be consulted. Further, the carrying out of the facilities entailed the appointment of teachers competent to give the particular religious instruction required. What the Lord President of the Council conceived would happen was that the local authorities, while they were precluded from making any inquiries of their own, would, by some wireless telegraphy, or some other method not described, learn the nature of the teachers whom there were to appoint. It would be much easier and simpler, in his view, to adopt such a plan as that proposed in the Amendment, by which the representatives of the parents should convey a certain amount of information to the local authority, that they should nominate and present a teacher of the kind they thought necessary for the carrying out of the facilities, it then being for the local authority to decide whether on educational grounds they were prepared to appoint the person so recommended. The second part of the Amendment dealt with the case where the teacher did not give the facilities which he was expected to afford, the proposal being that the parents' committee should be allowed to make representations to the local authority, who, acting thereon, could transfer the teacher to some other sphere where there would be less likelihood of his conflicting with those who desired the special instruction he was unable or unwilling to give. In regard to the last paragraph of the Amendment there would probably be a considerable gulf between his wishes and the desires of the Government. He held that some protection must be given to the owners of schools. What would happen if the majority of the parents decided so to change the complexion and nature of the facilities that the instruction should be entirely contrary to the trusts under which the owners held the school? It appeared to him that the facilities would have to be restricted in some way so as to accord with the provisions of the trusts. With regard to the composition of the committee, he had suggested four members elected by the parents and two by the owners, but a better arrangement would probably be that only one representative should be nominated by the owners, the other one being given to the local authority. As one of the objects of the Amendment was that the local authority should be in touch with the wishes of the parents and the owners, it seemed most desirable that if such a committee were formed there should be upon it at least one representative of the local authority. To carry out that idea the last paragraph of the Amendment would require to be altered, as it provided only for election by the parents, whereas the respective representatives of the local authority and of the owners would require to be nominated.

Amendment moved—

"In page 4, line 39, after the word 'school' to insert 'provided that the local education authority shall not be debarred from granting a permission, if they are of opinion that a change in the composition of the school has been artificially brought about since the first day of April, one thousand nine hundred and six, by the transfer of children formerly attending and for whom places are still available in schools not affected by such a permission; also to insert 'a prior right of admission to any school in respect of which extended facilities have been granted under this section shall be secured to the children of any parent residing within the area for which the school is available, on a signed declaration to the local authority that he wishes the child to receive the benefit of the special religious instruction given in the school;' and also to insert the following new sub-section:—

(5) In all schools affected by a permission under this section, the parents of the children attending the school shall elect, in accordance with regulations to be made for the purpose by the Board of Education, four persons, some of whom may be women, who, together with two other persons nominated by the owners, shall be known as the parents' committee. The parents' committee shall be responsible for, and have the control of the religious instruction given in the school. The appointment of teachers in the school shall be made by the local education authority, upon the nomination of the parents committee, whose nominees shall not be rejected except on educational grounds. If the parents' committee represent to the local education authority that the continued presence of any teacher in the school is objected to by the majority of the parents on grounds connected with the giving of religious instruction in the school, the local authority shall dismiss the said teacher, or, as soon as practicable, remove him to another school. The religious instruction given in the school shall, as regards its character, be in accordance with the provisions (if any) of the trust deed relating to the school; and nothing in this section shall affect any provision in a trust deed giving to any ecclesiastical or denominational authority the power of deciding whether the character of the religious instruction is, or is not, in accordance with the

provisions of the trust deed. The parents' committee shall have access to the schoolhouse at all times. Vacancies in the parents' committee caused by death or resignation shall be filled up by election by the parents of the children attending the school, in the same manner as the original appointment was made.' "—(*Lord Clifford of Chudleigh.*)

*THE EARL OF CREWE: The question raised by the noble Lord in this Amendment is one of considerable interest and importance. The possibility of constituting parents' committees, either for some schools or for all, was under the consideration of His Majesty's Government from a very early stage in these proceedings, it being one of the points which was carefully considered when we were engaged in preparing the Bill. It is, of course, no new invention. There was a sort of conference held at Manchester last autumn, in which members of the Church of England and several distinguished Nonconformists took part. I do not recollect whether any representatives of the Roman Catholic Church were present, but I am rather inclined to think there were. In any case it is the fact that a parents' committee to act in relation to the religious teaching was one of the suggestions which that conference put forward. I am bound to say that I myself have always had considerable sympathy for this proposal, within limits, though certainly not up to the limits suggested by the noble Lord opposite. His parents' committee is a very formidable body indeed. For many purposes it replaces the managers and deposes the local authority. If anything can be done in the direction of constituting a statutory committee of this kind, it would only be possible, from our point of view, if its functions were simply of an advisory character, with a power perhaps of making representations to the local authority on various matters. I confess I do not entirely understand what is meant by the noble Lord when he says the parents' committee should have control of the religious instruction given in the school. I imagine that he uses the word "control" in a very limited sense, because he goes on to say that the religious instruction given in the school shall, as regards its character, be in accordance with the provisions (if any) of the trust deed relating to the school, even though the provisions of the trust place the power of deciding the character of the religious instruction—as very often happens in the case of the Roman Catholic Church—upon the bishop of the diocese. Therefore what the noble Lord calls "control" in this case would really not mean much more than the arrangement of the manner in which the instruction was to take place and how it was to be given.

*LORD CLIFFORD OF CHUDLEIGH said that that was precisely his argument—that there was no one at all to see that the arrangement which had been entered into with the local authority was being carried out by the teachers, and to that extent it would be necessary to have some control; he did not mean an interfering control.

*THE EARL OF CREWE: I quite understand the noble Lord's point of view. It is, I need hardly repeat to the Committee, our view that the principle of popular control must depend upon the local authorities having the appointment of the teacher. As a matter of fact, popular control in any case, even under our proposal, is run pretty fine, if I may use the expression, in these four-fifths schools, and, as noble Lords opposite are aware, considerable objection has been taken by the straiter sect of those who support our views generally, on the ground that even these four-fifths schools are something of an abnegation of the principle of popular control. If the noble Lord's Amendment were accepted there would be not only an obvious abnegation of the principle of popular control, but a complete reversal of the principle of no tests for teachers. That the noble Lord frankly admits. He means that there should be a test for teachers in this instance, and on that point of course we are absolutely bound to join issue with him. The noble Lord concluded by drawing attention to the composition of this proposed parents' committee, in regard to which he suggested some changes from the scheme on the Paper. The noble Lord will, I think, agree that if we assert that a committee of this kind, supposing one to be formed, could only have advisory functions, its composition from our point of view becomes far less important than it would be if the noble Lord's Amendment were accepted as it stands. Speaking generally, therefore, I may say that so far as the noble Lord's Amendment goes, down to the word "school" at the end of the second sentence, we should be disposed to regard it with consideration and sympathy; but as regards the latter part, from "The appointment of teachers" to the end, I am afraid we should have to give it our full opposition.

THE MARQUESS OF SALISBURY said that in the interesting speech just delivered the Lord President of the Council had communicated to their Lordships what had never been communicated to the public before, namely, that His Majesty's Government were well disposed to the establishment, under certain limitations, of a parents' committee. That was a very remarkable announcement, and one which would have greatly interested another place had it been made at an earlier stage of the proceedings on the Bill. He was not surprised that the Government should have considered the matter and hesitated in respect of it, because in Clause 4 they had made no arrangements whatever for determining in detail what the religious instruction was to be nor for seeing that it was carried out. Like everything else in the Bill, the words of the clause were studiously vague. It was merely stated that facilities for religious instruction of a special character should be afforded. What the facilities were, what the character of the religious instruction was to be, how thefacilities were to be afforded, on these points nothing, until the noble Earl's last speech, had ever been revealed to Parliament; the matter had been kept a solemn secret. He gathered, however, from the attitude of the Government that at last it had become apparent to them that so vague a proposal could not possibly be put into an Act of Parliament with any hope of its working satisfactorily,with the result that theyproposed to accept an advisory parents' committee. "Advisory" was one of the vague words in which the Government delighted, and he was not quite sure what it meant. Speaking from his own experience he was not certain that there was much value in an advisory committee unless its character was such that its advice was generally taken. The process of giving advice which was at once rejected was not very amusing or edifying. Therefore, so far as those for whom he spoke were concerned, they were not at all satisfied with the idea of a mere advisory committee. The truth was that the determination of the character of the religious instruction and the control of its operation was a matter of great importance and considerable detail requiring a vast amount of attention, and he was astonished that the Government should think that such a delicate function ought to be left in the hands of the local education authority.

*THE EARL OF CREWE was understood to dissent.

THE MARQUESS OF SALISBURY asked what the noble Earl meant by saying that the control was to be vested in the local education authority. No doubt in one sense it might be so——

*THE EARL OF CREWE: I beg the noble Marquess' pardon. I said that the general control of the school, in our opinion, can only be secured by leaving the appointment of the teacher to the local authority, but the arrangement of the facilities we propose to leave entirely in the hands of those who claim and enjoy those facilities.

THE MARQUESS OF SALISBURY understood, then, that the noble Earl proposed that the parents' committee should have complete control over the nature of the religious instruction. That was a very important matter, and it ought to be quite clearly understood. The noble Earl had frankly admitted across the floor of the House that the parents' committee were to have complete control of the religious instruction.

*THE EARL OF CREWE: Under restrictions.

THE MARQUESS OF SALISBURY: He has met me most frankly.

*THE EARL OF CREWE: I am speaking of the facilities instruction, not of the Cowper-Temple instruction.

THE MARQUESS OF SALISBURY said he quite understood; it was the denominational instruction of which they were speaking. They now knew who was to control the religious instruction. But there then arose the question of the teachers. Earlier in the evening, speaking of the Roman Catholic schools under Clause 4, the noble Earl had said that it was to be hoped—indeed, expected—that all the teachers would be Roman Catholics.

*THE EARL OF CREWE: I do not think I said all the teachers; but I have no special objection to the phrase.

THE MARQUESS OF SALISBURY said he wished to carry the noble Earl with him in his interpretation of what he had said. The Lord President of the Council conceived that in Roman Catholic schools the teaching was to be definitely Roman Catholic, controlled by a committee of Roman Catholic parents, and he hoped and expected that all the teachers would be Roman Catholics. He (the Marquess of Salisbury) was very glad to hear that, because—if he might use such an expression in reference to these dignified bodies—what was sauce for the goose was sauce for the gander, and what was true of the Roman Catholic Church would be true also of the Anglican Church. Therefore they might take it from the noble Earl that the nature of the Anglican instruction to be given in Church schools was to be controlled by a committee of Anglican parents, and that he hoped and expected that all the teachers would be members of the Church of England.

*THE EARL OF CREWE: The noble Marquess is, of course, talking of what I call the four-fifths schools?

THE MARQUESS OF SALISBURY: I am talking of Clause 4 schools.

*THE EARL OF CREWE: Yes.

THE MARQUESS OF SALISBURY: They are not four-fifths schools now.

*THE EARL OF CREWE: I call them four-fifths schools.

THE MARQUESS OF SALISBURY said they had now gone a long way, and they only wanted the noble Earl to go one step further. If the teachers were to be members of the Church of England in the case he had put——

*THE EARL OF CREWE: I am sorry to interrupt, but I did not say they are to be. I said I should be very glad if the local authorities appointed them in most instances. I did not go beyond that.

THE MARQUESS OF SALISBURY thought the noble Earl went so far as to say that he expected they would be. The noble Earl had gone a long way, he admitted, for a member of this Government who were not generally very precise in their assurances. Throughout this Bill, and especially on the present occasion, the noble Earl had been most courteous, and he was much obliged to him. If the teachers were to have a special character and to give a special kind of religious teaching, and the control of that special religious teaching was to be vested in a parents' committee, it really was not an extravagant claim to make that the parents' committee should have some voice in regard to the appointment of the teacher. Indeed, the logical conclusion was so plain that he thought the Government could hardly resist it, and that being so a large part of the contention of Lord Clifford had been conceded by the Government. He agreed that in some respects the terms of the Amendment went rather farther than he would recommend for acceptance, but when the Committee reached the point at which the matter might more properly be dealt with he hoped the Government would not only be as good as their word in regard to the assurances they had given across the Table, but that they would go one step further and allow the parents whose children were concerned to have some voice in the appointment of the teachers who were to give the religious instruction. He hoped that the absolute righteousness of this claim would be admitted. The children belonged to the parents; their religious training was the most sacred obligation the parents had to discharge; that religious instruction was in the hands of these teachers. Was there anything extravagant in asking that the parents' committee, to which the noble Earl and his friends were already willing to afford so much authority, should have at least a voice in regard to who these teachers should be?

LORD STANLEY OF ALDERLEY said he could not share the difficulty of the noble Marquess in understanding the machinery laid down in the Bill whereby the special instruction bargained for between the owners of a school and the public authority would be given and supervised. Both under Clause 3 and under the present clause the granting of facilities, either in the ordinary schools or in special schools, would be made in the first instance a matter of contract between the owners of the school and the local authority. As the Bill stood, failing agreement between these parties, the contract would be settled for them by the Commission.

THE MARQUESS OF SALISBURY: Where does the noble Lord find the contract in Clause 4?

LORD STANLEY OF ALDERLEY said that Clause 2 provided that the local education authority should—

> "make any arrangements they think fit by agreement with the owners of the schoolhouse for obtaining such use. . . ."

and the conditions were set forth. That clause dealt with the general taking over of schools, and he took it that it would govern the taking over whether the school was a general school under Clause 3, or a special school under Clause 4.

THE MARQUESS OF SALISBURY dissented.

*LORD STANLEY OF ALDERLEY said that that at any rate was his interpretation, and he considered it a reasonable one. The fact was the noble Marquess ought to have been a Nonconformist. He brought to bear upon the discussions of this Bill an attitude of vigilant suspicion such as the late Mr. Winterbottam described as the character of Nonconformity. He would ask the noble Marquess to discard a little of that vigilant suspicion and acquire a little more "sweetness and light." To turn to the proposal made by the noble Lord, it was no doubt a very interesting Amendment. If they were to constitute a parents' committee, and he thought there was a great deal to be said for bringing in the parent, and if they could devise proper machinery, it was a proposition which might very fairly apply to all schools. There was an interesting Amendment earlier in the Bill standing in the name of Viscount Halifax which he had rather hoped would be moved, for although it went too far, he thought it was at least a step towards a possible solution of this question. He thought that these matters rather came within the scope of a different kind of Bill, the sort of Bill adumbrated by the Bishop of Birmingham and the Bishop of Southwark. With regard to the public management of schools, there was no doubt that they ought to render under Cæsar the things that were Cæsar's and to God the things that were God's. The local authority could deal with the secular instruction, but they ought to leave it to the association of persons grouped together to deal with the other matter which concerned them. But that was not the framework of this Bill, which contemplated quite a different way of dealing with the matter. His sympathies went with the noble Viscount opposite, with certain reservations. As the Bill stood at present, the supervision, control, and regulation of special religious teaching under Clauses 3 and 4 was entrusted to the owners of the school. There was a good deal to be said in favour of getting away from this idea of associating with this matter ownership and property, which had no reference to any generation of parents, and getting straight to the parents. The difficulty he felt was in incorporating something in this Bill which would produce a different scheme for the settlement of national education. He noticed that in this Amendment the noble Earl had modified it by cutting down the representation of the owners to one instead of two. If they were going to include parents they had better do it frankly, and he did not see why the proprietors of schools should come in at all. The mistake of this Amendment—

and he thought it was admitted—was that it assumed that as a matter of right and duty the teachers appointed by the local authority would be responsible for the religious teaching. The Bill contemplated that the private persons would select teachers who had their confidence. The Bill allowed them to select the teachers, but it neither pledged the local authority to appoint teachers who would *prima facie* be suitable, nor did it require the teachers so appointed to render those services, and at any moment a teacher might decline to do so. This Amendment seemed to be drafted upon the assumption that it was part of the duty of the teacher to render those definite services of religious instruction to the satisfaction of those by whom he was employed. No doubt some of the teachers would be employed by the denominational friends of the group who used the school, and if they were dissatisfied they could discontinue them; but it was an immense step further if they said that not only would they decline to use the services of a man or a woman in whom they had no confidence, but that they would turn such teachers out of the school. That would be going to the secular arm to enforce a religious test, and that was a thing which there was not an atom of a chance of getting into this or any other Bill. It was a great advantage in this Bill that those who desired special teaching were left absolutely free to choose those who should give it. No doubt it would be a convenience to have the services of the teachers who had given it hitherto, but they should not argue this clause only from the point of view of the Roman Catholics. The Roman Catholics were a very distinctive body with very distinctive convictions, and there was a clear line of cleavage between them and the ordinary people of this country.

THE MARQUESS OF SALISBURY asked whom the noble Lord meant by the ordinary people.

*LORD STANLEY OF ALDERLEY thought the Committee knew what he meant, and he was not prepared to conduct a catechetical discussion with the noble Marquess opposite. He drew a distinction between Roman Catholics and the ordinary citizens of this country—the great mass of people who were not ashamed to call themselves Protestants. It was quite idle to suppose that they would ever persuade the public to think that there was that distinction amongst parents who were called Churchmen, and those who were not called Churchmen, and that they would consent that in the ordinary village school in which they might probably get a majority to label themselves Churchmen in order to have the schoolmaster fired out of the school because he did not go to the Church on Sunday, or did not sympathise with the Anglican teaching of the rector. A right rev. Prelate earlier in the debate had said it was not enough that a man should describe himself as a member of the Church of England, but there must be a further inquiry. That meant that if an extreme ritualist was the rector of the parish he might resent the spiritual influence of the schoolmaster who went to an evening Communion or did not believe in all the doctrines of the priesthood and of the Church teaching. It was no use avoiding this matter. They knew from the recent inquiries of the Royal Commission that the Church of England was far more divided, one section from the other, than the mass of the ordinary people in this country who called themselves Churchmen were from the mass of orthodox Dissenters. The Anglican Communion was established under Episcopal control, and to set up the ideas of the most Episcopalian section was preposterous. The more noble Lords opposite extended the operation of this clause and tried to make it cover a body whose ministers were out of sympathy with its laity, the more they would weaken what should be the reasonable wish of the Government to meet the needs of the ordinary citizens of the country.

VISCOUNT HALIFAX said he was rather surprised to find that his noble friend was prepared to endorse the proposal that there should be a committee of parents appointed to work with the local authority under Clause 3, and he hoped the point would be dealt with on Report. Such a committee of parents was as much required under Clause 3 as under Clause 4. What he wished to say to his noble friend opposite and to draw the attention of the Committee to was that they had almost come back to the question which underlay the whole of the propositions of this Bill, namely, whether the parents of the children who attended the schools were to be allowed to have what they wanted, or only what His Majesty's Government wanted them to have, or what "the straiter sect" behind the Government desired them to have. They wanted a little more liberty in this matter, and they wanted the parents, to have what they wanted and not what other people thought was good for them. In regard to the parents' committee and the appointment of teachers, they had been told over and over again that it was really and honestly desired to make these schools denominational schools. If they were to be frankly denominational schools —and he was certain the President of the Council meant what he said—why were the parents who were compelled to send their children to those schools not to be allowed to have some voice in the appointment of the teacher? In their own private affairs their Lordships were able to decide what teachers should teach their children, and why were not their poorer brethren to have the same privilege? Upon any sound principle of justice there could be no answer to that question. This was a question of simple liberty and justice, and those parents who were obliged to send their children to certain schools certainly ought to have a voice in the appointment of the teachers in these frankly denominational schools. Nothing would induce him to send his child to any school in regard to which he had not some security that the teachers believed in the religious instruction they imparted.

*THE LORD BISHOP OF ST. ALBANS said that they all recognised the great authority of the noble Lord (Lord Stanley of Alderley). He was afraid, however, that he had misunderstood his right rev. brother when he said that it was not sufficient for a teacher simply to be a member of the Church of England. The statement was made not with reference to any sort of difference of opinion with regard to theological thought. It was rather on moral and spiritual grounds that the objection was taken. Their Lordships would feel, whatever religious faith they might belong to, that they would not care to have their sons entrusted for religious education to a man who was merely a nominal member of the religious body to which they belonged. They would desire to have a teacher who believed what he taught, and when his right rev. brother said that it was not sufficient to be a mere member of the denomination, he was making no allusion whatever to questions of ritual or to the questions that divide Churchmen, but was referring rather to those great and fundamental matters which so dearly concerned every Christian man, and meant that they would entrust their children to the education of the man who was not ashamed to say "I believe." There was another matter on which he should like to say a word or two. The noble Lord, in a previous speech this evening, had spoken very strongly upon the fact that this Bill allowed no tests for teachers, and his right rev. brother the Bishop of St. David's had drawn the attention of the noble Lord the President of the Council to the apparent contradiction between the tone taken and adopted by Lord Stanley of Alderley and that adopted by the President of the Council. If he understood rightly the reply of the noble Lord the President of the Council it was that whilst there was no obligation on the part of the local education authority to appoint as a master or mistress a member of that particular denomination, nevertheless, he hoped that in some way it would be understood that the local authority would appoint someone belonging to that denomination. Now the noble Lord came down to the House and stated expressly and clearly that the local authority had no right whatever to impose a test or to ask for a test, or to have anything to do with a test. He found it just as difficult as his right rev. brother to understand how to reconcile those two statements. He found on the one side the noble Lord the President of the Council hoped for and expected a regard for denominational belief, and on the other side the noble Lord would not allow it, and between not allowing and accepting he was really puzzled to know what was going to happen. He thought the parents' committee should have some voice in the appointment of teachers, and he hoped with all his heart that this point would be most carefully attended to. He trusted that some provision would be made whereby this advisory committee, or whatever they liked to call it, might have some real tangible power in reference to the appointment of the teachers of the schools.

VISCOUNT LLANDAFF thanked the noble Lord for the sympathy he had expressed with this proposal. He thought it was right that the parents should have some voice in the religious training of their children. The words that fell from the noble Marquess who led the House were emphatic in the same direction. But how was that control to be exercised? The President of the Council thought it should be exercised by a committee that was simply advisory. That, like so many of the promises of His Majesty's Government, amounted to nothing at all. A merely advisory committee had no real control over the religious education given in the schools. The religious education in the schools could only be efficiently given by the regular teachers. The idea that they should import outside teachers to give the religious instruction seemed to him to be fantastical and totally impracticable. Suppose for instance they were dealing with a couple of schools each containing 500 children. If they imported teachers they would require one for every forty children and therefore they would require some twenty-five additional teachers to give religious instruction. And again, how were they to get competent teachers to come in simply for three-quarters of an hour every morning or on certain mornings of the week. His opinion was that religious education would come to nothing unless it was given by the teachers in the schools. Who was to have the appointment of the teachers in the schools? This Amendment gave the parents' committee a voice in the matter, because it said that their nominees were only to be rejected on educational grounds, although the appointment was to be left in the hands of the local education authority. If they did not give this voice to the parents' committee in the nomination of the teachers, what security had they that the local education authority would not appoint teachers out of sympathy with the denominational creed of the school? What security had they that they would appoint teachers who would be willing or competent to give the religious instruction required? Lord Stanley of Alderley was very emphatic in a matter which was no doubt a domestic quarrel between himself and the right rev. Bench. He would not deal with the ordinary citizens as compared with the sacerdotal menial, but surely the parents' committee were ordinary citizens. They would be chosen from among the very body of the people who used the schools, and they would be ordinary citizens in the fullest sense of the term, and would not be subjected to any sacerdotal influence. If they did not give them that decisive voice in the choice of the teacher, what chance was there of the religious instruction which they granted ought to be given in Clause 4 denominational schools being given? What security had they that the right religious instruction would be given? Absolutely none. It had been said that if they chose the right men as teachers they would be violating the great principle that there were to be no tests for teachers. In the Cowper-Temple schools where simple Bible teaching was to be given, the local authority would take care that the men who gave the instruction were competent to give it. In the Cowper-Temple schools there would be no violation of the doctrine of tests by the selection of men competent to give the instruction required, and why was there any violation of the doctrine of no tests for teachers by choosing men competent to give the religious education permitted under Clause 4? Public control demanded that this should be under the control of the education authority; he understood public control to mean that wherever public money was given, the expenditure, its amount and the management, should be in the hands of the representatives of the people. But they did not spend sixpence on denominational teaching; why, therefore, was public control to interfere with denominational teaching for which no public money was given? The whole case steered clear of the doctrine of public control. The real interest of the school was the sacred interest of the parents, who were responsible for the welfare of the children; it was for them to say what men they would trust to give the religious instruction which by this Bill they had promised those schools under Clause 4, for they had promised that they should have denominational instruction. That instruction could only be given by the teachers and not by outsiders. Anybody who knew anything about the working and maintenance of discipline in schools knew that it was perfectly impractical that outside teachers should be brought in to give religious instruction. Therefore, it must be given by the teachers attached to the schools, and the parents ought to have the nomination of the persons who were to fill those positions. He did not doubt for a moment that the parents would take care that the persons they recommended believed in the religion they were called upon to teach in the schools, but the educational qualifications of the teachers would be left to the local education authority, who would have to pay the teachers for giving secular instruction and nothing else. The local authority, would, of course, have control over the appointment of teachers, and they would have the liberty of saying to any nomination made by the parents' committee, "No, we object to this nomination because the man is not a sufficiently good teacher." He hated to draw distinctions between the religion which he belonged to and the Church of England, because they were all in the same boat and were fighting the same battle. He had put an Amendment to Clause 7 on the Paper extending the principle of the parents' committee to all schools including facility schools, simple facility schools, and provided schools. He did not see that the right of the parent was any less strong or any less sacred because he happened to prefer simple Bible teaching to any other form of religious instruction. No doubt that was a great step. He was aware that in the debate on Lord Balfour's Amendment the Committee seemed unwilling to grapple with the question more closely, and perhaps in view of that his Amendment might be injudicious. Personally he was prepared to create a parents' committee in every elementary school in the country. The right of the parents wherever they were was the same, and they ought to have the control and regulation of this matter, subject to the superior power of the local education authority in every elementary school in the country. In connection with his own religious body many of their schools were conducted by communities of nuns. Those nuns were ladies of culture and refinement, many of them of gentle birth and breeding, who had devoted themselves from the highest of all possible motives to the laborious task of educating the children of the poor. They had obtained what Government certificates were obtainable for the express purpose of ascertaining the qualifications of teachers, and their success in education was undoubted. If their Lordships only took the trouble to turn to the Reports of His Majesty's inspectors they would find that the highest tribute was paid to the schools conducted by these nuns. They had set before their pupils a living example of self-denial and self-control which were invaluable in a moral as well as a spiritual sense. What chance would those ladies have of being appointed as teachers in the girls' schools under the local authority? Only the other day a local education authority refused to pay the salary of a nun who was a teacher on the ground that she did not put her salary in her pocket, and spend it on bonnets and clothes, but handed it over to the community to which she belonged. Did noble Lords think that such schools as those which were so highly valued would have the slightest chance of continuing under local education authorities unless the voice of the parents were allowed to influence the choice of teachers? This seemed to him to be one of the most vital Amendments of the Bill. The religious education promised in Clause 4 the Government were bound in honour to see carried to a successful and practical conclusion, and he could not conceive that that promise would be fulfilled or that education could be given in that sense unless the parents whose children attended the school were allowed to have a predominant voice in the choice of the teachers who were to give that instruction.

*THE MARQUESS OF LANSDOWNE: I cannot help hoping that, up to a certain point, we on this side of the House are in agreement upon this question with noble Lords opposite. We understand the noble Earl the Lord President of the Council to be prepared to accept in substance the first eight lines of the Amendment on the Paper in the name of Lord Clifford of Chudleigh—that is down to the word "school." I understand that the noble Lord intends slightly to alter the composition of the parents' committee. He proposes that one person should be nominated by the owners and one by the local education authority instead of two by the owners. That, no doubt, is a change which will not be inacceptable to noble Lords on the opposite side of the House. We understand that, subject to the discussion of such minor details, the proposal that there should be a parents' committee is acceptable to His Majesty's Government. We hold very strongly on this side of the House that unless a body of that kind be constituted, the machinery of the Bill will be unworkable in practice, and we therefore welcome the Amendment. With regard to the functions of the parents' committee, so far as the appointment of teachers is concerned, that I think is a matter which may well be reserved for further consideration when we come to the attributes of the teachers, their duties, and the manner in which they are to be appointed. I hope that if my noble friend moves the first eight lines of his Amendment with the alterations I have indicated, it may be carried without any dissentent voice.

*THE EARL OF CREWE: My Lords, as regards the proposed insertion in the Bill of these words down to the word "school," I have to say that we raise no objection, on the understanding that it is the general principle of the appointment of a special committee of this kind with which we are in sympathy, and that we do not pledge ourselves to the words used by the noble Lord nor to the particular composition of the committee as proposed by him.

*LORD CLIFFORD OF CHUDLEIGH thanked the noble Earl for his expression of sympathy, and asked leave to withdraw his original Amendment and to move the words down to the word "school," as suggested by the noble Marquess.

Amendment, by leave, withdrawn.

Amendment moved—

"In page 4, line 39, after the word 'school' to insert the words '(5) In all schools affected by a permission under this section, the parents of the children attending the school shall elect, in accordance with regulations to be made for the purpose by the Board of Education, four persons, some of whom may be women, who, together with one other person nominated by the owners and one other person nominated by the local education authority, shall be known as the parents' committee. The parents' committee shall be responsible for, and have the control of, the religious instruction given in the school.'"—(*Lord Clifford of Chudleigh.*)

On Question, "That those words be inserted in the clause," Amendment agreed to.

THE LORD BISHOP OF BIRMINGHAM asked leave to move the insertion after the word "school" in the Amendment just accepted by the Committee the words "in accordance with the trust deeds, if any, of the school." It appeared to him that the words as moved by the noble Lord and at present added to the Bill, would allow any group of parents who might be converted to the Mohammedan religion, to cause religious teaching to be given in that religion.

Amendment moved—

"In page 4, line 39, after the word 'school' to insert the words 'in accordance with the trust deed, if any, of the school.'"—(*The Lord Bishop of Birmingham.*)

*THE EARL OF CREWE: My Lords, if I remember rightly, an Amendment of the noble Lord, Viscount Llandaff, was provisionally inserted in the Bill to the effect that the religious instruction should be in accordance with the trust deed of the school.

VISCOUNT LLANDAFF: That related to another class of schools.

*THE EARL OF CREWE: I think it referred to all schools.

VISCOUNT LLANDAFF said he was not certain on the point, as they had

had so many Amendments. The noble Earl the Lord President of the Council would find lower down in the Amendment of Lord Clifford of Chudleigh the words—

> "Nothing in this section shall affect any provision in a trust deed giving to any ecclesiastical or denominational authority the power of deciding whether the character of the religious instruction is, or is not, in accordance with the provisions of the trust deed."

He thought those words would cover the point raised by the right rev. Prelate.

LORD ASHBOURNE said the last three lines of the Amendment of Lord Clifford of Chudleigh dealt with the very point. Those words were—

> "The religious instruction given in the school shall, as regards its character, be in accordance with the provisions (if any) of the trust deed relating to the school; and nothing in this section shall affect any provision in a trust deed giving to any ecclesiastical or denominational authority the power of deciding whether the character of the religious instruction is, or is not, in accordance with the provisions of the trust deed."

He understood that that part of the Amendment only stood over for further discussion for the present, and was not withdrawn.

*THE EARL OF CREWE: My impression is that in Clause 4, line 24, after the words "A local authority may afford extended facilities for religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870," the noble Lord, Viscount Llandaff, moved the insertion of the words, "and in accordance with the trust deed, if any, of the school," and I raised no objection to their insertion at that point.

*THE MARQUESS OF LANSDOWNE: Do not the words which occur in Clause 2, at the end of sub-section (2), in the Bill as now printed with your Lordships' Amendments cover the question raised? They are—

> "Provided that such arrangement includes, as far as may be having regard to the altered circumstances of the case, adequate provisions for the preservation of such trusts, and for the protection of the endowment subject thereto."

*THE EARL OF CREWE: That was Lord Barnard's Amendment. I am not sure whether the words quoted by the noble Marquess would cover the point entirely, and my impression of the words inserted at the instance of the noble Lord Viscount Llandaff is that they cover this case.

THE MARQUESS OF SALISBURY said he understood that the noble Earl the Lord President of the Council thought that the necessary words were inserted after the word "1870" in Clause 4, line 24. If that should turn out not to be the case, no doubt the noble Earl would put them in on Report, so that there would be no difficulty really.

*THE EARL OF CREWE: As there seems to be some dispute, perhaps the right rev. Prelate will permit the matter to remain over.

THE LORD BISHOP OF BIRMINGHAM said that the words "in accordance with the trust deed" were supposed to determine only the character of the religious teaching and would not safeguard, for example, an appeal to the bishop where that would be an element in the trust deed.

THE EARL OF CAMPERDOWN asked the Lord Chairman of Committees whether the words of Viscount Llandaff's Amendment which had been alluded to were inserted earlier in Clause 4.

VISCOUNT LLANDAFF said that if inserted at all, they were inserted after the word "1870" in Clause 4, line 24.

THE CHAIRMAN OF COMMITTEES: The words in Clause 4, as amended by your Lordships, run as follows—

> "A local education authority shall afford extended facilities for religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870, and in accordance with the trust deed, if any, of the school in every transferred voluntary school."

That is how the Bill stands at present.

THE LORD BISHOP OF BIRMINGHAM asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

VISCOUNT LLANDAFF, in moving a new sub-section in place of sub-section (5), said the Amendment in his name was a humble attempt on his part to meet the Nonconformist grievance. He looked upon the Nonconformist grievance as being twofold. In the first place the Nonconformist objected to paying anything for the teaching of a religion in which he did not believe. That grievance had now gone, because the West Riding judgment had done away with it, and this Bill in every section of it said that the local authority was not to pay anything for religious instruction. Therefore the grievance, which he agreed was a very real one, of having to contribute to the teaching of a religion in which a person did not believe no longer existed. Neither His Majesty's Government nor the Nonconformists seemed to have any feeling for the religious objections of those who were not of the Cowper-Temple persuasion, inasmuch as they made them pay rates for the teaching of Cowper-Temple religion in all the provided schools of the country. They had done that for years without a murmur or complaint, although those schools were to those who thought with him absolutely useless and closed.

The second Nonconformist grievance was an equally serious one. Like the noble Marquess and others who moved in that matter he would do his utmost to relieve it, but he was afraid that the Amendment he had put on the Paper was not in order after what the Committee had already decided. He proposed that the Nonconformist in the Anglican school should have the religious instruction he desired given him, in the school if possible, and if the state of the premises admitted of it; if not, then the religious instruction was to be given outside the school. There were plenty of places where it might be given, the chapel, the house of the dissenting minister, or the house of any friend of the denomination. In all those places arrangements might be made for giving the instruction. Or it might be turned the other way, and the Dissenter might have his instruction in the school while the Anglicans or Roman Catholics were sent to their clergyman, to his house, or to his church. Further, his Amendment provided that if the Dissenters were not few in number—he had put the number at thirty, but left it to the Committee to fix the number—if they were of a sensible number, they should be entitled to call upon the local authority to build them a school. While he felt it was hardly in order to move the Amendment now, he desired to put it upon the Paper as his contribution to the remedying of the Nonconformist grievance, with which he entirely sympathised and should be very glad if he could be met. He must add that in his Amendment he had given the same rights to denominationalists in provided schools. It seemed to him that although he was quite willing to assist the undenominationalists who were obliged in single school areas to send their children to a denominational school, to refuse the same right to denominationalists who found themselves in a Cowper-Temple school was so intolerably unjust that he could not include the one without including the other.

Amendment moved—

"In pages 4 and 5, to leave out the words in sub-section (5) and to insert the words, 'In every school in which facilities, or extended facilities are afforded under this Act, and in every school provided by the local education authority, if there are children attending the school whose parents object to their receiving the religious instruction afforded in the school, and there is no public school accommodation available in schools where those children can receive the religious instruction their parents desire, the owners of the school, the managers, and the local education authority shall make arrangements to enable those children to receive, during the time allotted to religious instruction, either secular instruction or such religious instruction as their parents desire, either in the schoolhouse if the accommodation of the school premises renders it practicable, or if that is impracticable then elsewhere, but this religious instruction is not to be given at the expense of the owners of the school. Provided also that if the parents of thirty children attending any school desire their children to receive religious instruction of a different character from that afforded or permitted in the school, and there is no available public school accommodation in schools where those children can receive the religious instruction they desire, they may apply to the local education authority, and that authority shall, if the Board of Education consent, provide another schoolhouse for those children, in which such different religious instruction shall be permitted to be given." (*Viscount Llandaff.*)

VISCOUNT HALIFAX hoped that if it were at all possible the noble Viscount would press the Amendment, because——

*THE EARL OF CREWE: I am sorry to interrupt the noble Viscount. I should have interrrupted the noble Lord, Viscount Llandaff, for I am in some sense responsible for the public time as regards this Bill. There is no doubt whatever that this Amendment is practically identical with that of the noble Lord, Earl Cadogan, which, after receiving an adequate and interesting discussion, was negatived. I really think that discussion ought to close.

VISCOUNT LLANDAFF asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

THE MARQUESS OF SALISBURY wished to move the second of the Amendments standing in the name of Viscount Ridley, but he did not desire to press it upon His Majesty's Government. It would be remembered that under the Amendment of the noble Lord which was accepted by His Majesty's Government, the Board of Education was inserted in sub-section (2) of the clause as a Court of appeal from the local education authority in case the owners of the school and the local education authority did not agree about the withdrawal of the permission for facilities. The Government would also remember that they themselves provided in an earlier part of the clause that the local authority should have the power to hold a local public inquiry. It was then suggested and he now suggested that the Board of Education ought to have the same power of holding a local public inquiry. The object of the Amendment was to provide for that, but if His Majesty's Government did not desire to accept the proposal he should not press it upon them.

Amendment moved—

"In page 5, line 3, after the word 'thereof' to insert a new sub-section—'(7) The Board of Education may hold a public inquiry for the purpose of satisfying themselves as to the fulfilment of any of the conditions requisite before extended facilities can be granted or withdrawn under this section, and shall do so if required either by the local education authority or the owners of the schoolhouse or the applicants for the facilities, and Section seventy-three of the Elementary Education Act, 1870, shall apply to any such inquiry."—(*The Marquess of Salisbury.*)

*THE EARL OF CREWE: My Lords, the noble Marquess is not quite accurate in saying that His Majesty's Government accepted the Amendment of the noble Lord, Viscount Ridley; I pointed out that after the action of your Lordships it was a rational course to move that Amendment. I hope the noble Marquess will not press this Amendment, as we think the original public inquiry is a matter for the local education authority and not one for the Board of Education. There is a marked distinction between giving power to the Board of Education in cases of dispute, and saying, as this Amendment says, that the initial step shall be taken by the Board of Education by their holding a public inquiry. That, we think, should be the work of the local education authority.

THE MARQUESS OF SALISBURY did not desire to press the Amendment.

Amendment, by leave, withdrawn.

On Question whether Clause 4 as amended should stand part of the Bill,

THE DUKE OF DEVONSHIRE: My Lords, I am extremely sorry to intervene so soon again in this discussion, but before we part from this clause I should like to ask the Lord President, who is in charge of the Bill, whether it is possible for him to give us any explanation on a point on which I think a clear explanation may in some degree facilitate our discussion on the remaining clauses of the Bill. In the discussions which have taken place on this clause the noble Earl the Lord President has, in several speeches, especially those which he made yesterday, made it abundantly clear that he recognises that the questions raised by this clause were regarded by his Majesty's Government from a totally different point of view from that which is held by noble Lords sitting on this side of the House. I think he made it quite clear that in the view of His Majesty's Government this clause was intended to apply and ought to apply only to a certain class and a very limited class of schools, the character of which is distinctly and predominantly denominational; while on the other hand the noble Lords on this side of the House were of opinion that facilities provided by this clause might properly and ought in justice to be applied to a very considerable number of schools which are perhaps not so predominantly denominational as those to which the noble Earl the Lord President referred. I hope that is a clear statement of the point that was taken yesterday by the noble Earl. I do not think that the noble Earl ever explained or thought it necessary to explain the reasons why His Majesty's Government hold the view that the operation of this clause ought to be so strictly limited. I can perfectly understand the anxiety which is felt by the Government that what I may call the Noncomformist grievance should be effectually and substantially redressed, that grievance being that the parents might be compelled by law to send their children to a school where they were obliged to receive a certain form of denominational religious instruction or none at all. I can quite understand the anxiety of the Government on that point, although I have not observed that they are equally solicitous of taking into consideration the grievance of the Church parent who may be compelled by law to send his children to a school where they can receive only undenominational instruction or none at all. I do not desire to dwell on that point now; all I wish to point out is that the Nonconformist grievance has, as I have stated, already been effectually redressed by the previous clauses of this Bill, and is not in any way connected with the clause which we have been now discussing.

By proposing this clause in the Bill, His Majesty's Government have admitted that there is a certain class of schools which belong to certain religious bodies in which it is necessary to make some provision for the preservation of the distinctly denominational character which they have hitherto enjoyed. They have made that provision distinctly in the case of Roman Catholic and Jewish schools. From the point of view of His Majesty's Government I understand that it was not intended that this clause should apply to any large extent to that much larger class of Church schools where a moderate form of Church teaching, but a distinctive form of Church teaching has hitherto been given. For that much larger class of schools I gather that from the point of view of His Majesty's Government they do not think it necessary to make any provision whatever. I think this clause may, therefore, be not unfairly described as a clause for the purpose of endowing, or if not endowing, encouraging, the provision for the teaching in a public elementary school of extreme sectarian doctrines. Undenominational teaching is not only permitted, but it is also endowed. Roman Catholic or Jewish instruction is not endowed, but under this clause full facilities are given for its teaching. There are, I believe, in some of our large towns Church schools of an extremely ritualistic character. There may not be many of them, but there is a certain number of such schools. Now, if the managers of those schools have succeeded in imparting so extreme a character and so aggressive a character to their denominational instruction as effectually to scare away all Nonconformist or Church parents from making use of those schools, they, so far as I understand, will have a very fair chance, indeed a certainty, of obtaining the privileges conferred by this clause, because the parents who have made use of a school of this type will naturally be unanimous on the subject, and there is no minority which can interfere with their obtaining the privileges conferred by this clause.

But, my Lords, in the case of schools where a distinctive but moderate form of Church teaching has been given, which large numbers of Nonconformists have been content to accept, the probabilities of their obtaining the facilities of this clause will be very small indeed, because the parents of Nonconformist children in these schools may not feel any very intense anxiety that these facilities should be conferred, and it is extremely probable that the necessary majority, whether a four-fifths or a three-fourths or a fair majority, may not be obtained. The question on which I desire to obtain some information from His Majesty's Government is why, when the requirements of parents who desire undenominational instruction for their children have been, as I think they have been, fully met under this Bill, and the requirements of Roman Catholic and Jewish persuasions have been not so fully, but to a certain extent met, the requirements of those Churchmen who have desired and have hitherto obtained for their children a moderate but at the same time a distinctive form of Church teaching are to be entirely disregarded. I have never believed that the facilities provided by this clause can be largely taken advantage of in the rural districts, because I believe that in rural districts the necessity for the provision of alternative accommodation would be extremely difficult to meet. But in our large towns, in our great urban populations, where every variety and form of religious opinion exists, I cannot see that there should be any difficulty whatever in the provision of that alternative accommodation, and I do not see why in these cases His Majesty's Government, should insist, as they appear and are supposed to do, on recognising only the case of those schools of a distinctly extreme sectarian character and upon relegating the whole of the remainder of the schools to a uniform level of undenominationalism.

I hold that His Majesty's Government have never yet explained to us why they entertain, as it seems to me that they do entertain, so strong an objection to the inclusion under this clause of the Church of England schools which have hitherto in a very large number of cases provided a distinctive form of Church teaching, but a form of Church teaching which it has been perfectly possible for a very large number of Nonconformists, voluntarily and without any compulsion whatever being placed upon them to accept for their children. I should be very glad if in addition to the frank and perfectly clear recognition which the noble Earl, the Lord President of the Council, has given us of the entirely different standpoint from which the Government view this clause from that which is held by your Lordships on this side of the House, His Majesty's Government will give us some explanation of the reasons why they so strongly hold that different standpoint.

*THE EARL OF CREWE: My Lords, I rise at once to give such reply as I can to the question asked by the noble Duke, and I can assure him that I will endeavour to make that reply as brief as possible. The noble Duke, recognising, as he says, the difference in the point of view from which we regard this question of special religious education from that which is held by many noble Lords opposite, asks why it is that we limit the operation of Clause 4 by such provisions as the four-fifths majority and the urban area. The noble Duke specially put in a plea for that more moderate type of Church schools which, as he says, will under our proposals suffer in comparison with the more aggressive type of Church schools. I think it cannot be disputed that to a certain extent it is probable that the more aggressive type of Church schools will find it easier to obtain what I will still call four-fifths facilities than a school which is of a more general type It is obvious that if the Church teaching in a school has been of a character which has attracted a large number of Nonconformist children it is less likely to be turned into a special facility school than is a school which, as the noble Duke said, might have frightened away people of moderate views. That we admit, and I frankly say that it is in itself no satisfaction to us, but we do consider it to be inherent in the facts of the case. All that we can put forward in reply is this, that on the hypothesis that the teaching of this school has been of an extremely moderate character, so far as the average Church of England parent is concerned, we believe that he or she will be satisfied with the two days of minor facilities and with the three days syllabus teaching which might be given. It is perfectly true that in our proposals a teacher would not be able to give that teaching. Noble Lords and right rev. Prelates may regard that as constituting an important difference, but on the other hand, taking the same hypothesis, it is not pretended that these schools have a special atmosphere so much as that they have been in the habit of giving Church teaching on every day in the week. I know I shall be pulled up by right rev. Prelates for saying that, but on the other hand I am taking the average view of the Protestant Church parent who, in our opinion, has been satisfied in the past, and is likely to be satisfied in the future, with the moderate kind of Church teaching which we maintain he will be able to secure in the minor facilities school. There is an important difference between not teaching a child something which his parents would like him to learn and teaching him something which his parents are very anxious he should not learn. A man may be disappointed and annoyed that his boy cannot learn astronomy at school, that being a subject which he considers indispensable to everybody's education. But his grievance is much less than that of a man who finds that his boy is being taught astrology and the casting of nativities at a school at which he is being educated.

The noble Duke asks why cannot we extend this clause so as to include schools of the kind to which he refers. Obviously, we cannot include these schools by any kind of name or description; we can only do it by including a great many other schools in the manner which noble Lords have done by their Amendments. The noble Duke said he did not think that this clause as regards rural areas would have very much effect. There I confess I do not agree with the noble Duke. If the Bill remains in the condition in which it has been placed by the inclusion of rural areas, to say nothing of the bare majority provision, although that of course is an important factor in these instances, it appears to me that a very large number of village Church schools will be able to take advantage of this clause and that is a contingency to which we could not look forward without great consternation. The noble Duke has not suggested how the case of the sort of schools that he mentions is to be met. He, like us, puts aside that provision for minorities which is intended by such Amendments as those of the noble Viscount on the Cross Benches and the noble Lord, Earl Cadogan. If these miscellaneous schools of a general Church tendency are included, and the teaching is thereby stamped as being specifically Church teaching, the noble Duke must surely see that it is very possible that the provisions under which the minority have to be provided for elsewhere would come into play, and then the noble Duke's whole purpose would be defeated. What I cannot understand is the extent to which the noble Duke differs from us in our view that the ordinary two-day facilities and the three days undenominational syllabus teaching will satisfy the parents. I do not say that in all cases it would satisfy the owners and managers, but it would satisfy the parents of the children who attend these milder and less aggressive forms of denominational schools.

THE MARQUESS OF SALISBURY said that in the speech which the noble Earl the Lord President of the Council had just delivered, he had practically admitted the charges which the noble Lord, the Duke of Devonshire, had made against His Majesty's Government.

*THE EARL OF CREWE: What charges?

THE MARQUESS OF SALISBURY: Well, the suggestions and criticisms which he made to His Majesty's Government. The noble Earl had nothing to say in reply to what his noble friend had alleged, namely, that the more moderate the Church teaching was in a particular school, the worse that school was to be treated. That was positively admitted by His Majesty's Government. Said the noble Earl: "We cannot help it; it is inherent in the nature of the case."

*THE EARL OF CREWE: My Lords, I do not in the least accept the construction which the noble Marquess has put upon my speech.

THE MARQUESS OF SALISBURY said he had a great difficulty in attributing any other meaning to the noble Earl's words. It appeared that the more extreme religious denominations and the more extreme forms of Church opinion were to have their schools with the atmosphere and with the services of the teachers to give the religious education, while the less extreme religious denominations and forms of Church opinion and the more moderate schools were not to have them. That to noble Lords on that side of the House appeared to be a crying injustice. They did not see why because men had moderate religious opinions their children should not be taught by trained teachers the religion which they desired, while people of extreme opinions were to be differently and better treated. The noble Earl had said that a man would have no grievance if he thought he could not have his children taught astronomy.

*THE EARL OF CREWE: I said it would be a minor grievance.

THE MARQUESS OF SALISBURY said that if the man knew that his child was taught that there was no such thing as astronomy, or that astronomy was a very indifferent matter, or was not of much consequence, would the noble Earl say that the parent had no grievance? Noble Lords on that side of the House alleged that there was no guarantee, indeed, in certain cases there was still the danger that teachers who were not appointed with any reference to their religious opinions might convey to the children that religion was a matter of comparative indifference, or even, to take the extreme case quoted by the right rev. Primate, that the story of the New Testament was nothing but fable. They said that that was a very great grievance, and in what the noble Earl had said he had admitted the criticism levelled by the noble Duke against His Majesty's Government.

*THE LORD ARCHBISHOP OF CANTERBURY said he desired to say a single word only. He was quite sure that the whole House had been impressed by the weighty words which had fallen from the noble Duke on this subject. He had listened with great anxiety to hear what answer the noble Earl the Lord President of the Council would give to those remarks. He owned that the answer given by the noble Earl did not present itself to his mind quite in the light which it did to the noble Marquess Lord Salisbury, who had said that the noble Earl had declared that the more moderate the school the worse its treatment would be. It seemed to him that the noble Earl admitted the grave difficulty, but did not see any mode of remedying it. The mode of remedying it in his view lay entirely in the hands of His Majesty's Government, who could permit the teacher belonging to the school to give the "special" teaching. The great difference between the two sets of schools would, according to the Government plan, be that in the four-fifths schools the teacher would be, the noble Earl hoped and believed, allowed to give the teaching, but in the other schools the teacher would not be allowed to give the teaching. There lay the real grievance and difficulty which would render the reasonably and moderately conducted schools practically incapable of giving Church teaching. This matter was so germane to what had just been said that it was necessary to refer to it now. That was where the real difficulty and *impasse* lay for those whom they particularly desired to further and support in their school teaching—the ordinary and reasonable type of Church school. He directed attention to the great Church schools in which, so far as he understood, it was intended to say that after a particular date the whole teaching staff of those schools should be silenced on the morning on which any distinctive teaching was to be given. Those schools would be left with the hopeless and impossible task of bringing in a great staff from the outside to give the teaching. The last thing he desired to see on any great scale was the systematic bringing in of outside teachers, because he believed the trained Church teachers inside were the proper people to give the teaching. There lay the real remedy for the grievance, and it was therefore impossible for them to accept the declaration that there were no means of meeting the difficulty. There lay the means if only the Government would have the courage to adopt them.

On Question, Clause 4, as amended, agreed to.

VISCOUNT ST. ALDWYN asked the noble Earl the Lord President of the Council whether it was the intention of His Majesty's Government to move any Amendments to Clause 5 beyond those which already stood on the Notice

Paper. If so, would those Amendments be placed on the Paper to-morrow ?

*THE EARL OF CREWE: My Lords, the position in which Clause 5 finds itself is rather a peculiar one. A very considerable part of Clause 5, as noble Lords will find when they examine it, has been rendered useless and futile by the action that was taken by your Lordships opposite in changing the words at the beginning of Clause 4. I think probably it will be more convenient, because the points at issue are easy and simple, if no Amendments were placed on the Paper by His Majesty's Government, and if it were left to the Committee to decide one or two minor points which they might desire to discuss. His Majesty's Government, of course, adopts Clause 5 as it stands in relation to Clause 4 as it stands, but I think it is more for the Committee as a whole to decide whether any part of Clause 5 should now remain, and, if so, what part.

*LORD CLIFFORD OF CHUDLEIGH: Why is it inadvisable to put Amendments down to Clause 5? I understand the noble Earl the Lord President of the Council to say that it would be so, and I should like to know the reason why.

*THE EARL OF CREWE: I have not the slightest objection to anybody putting any Amendment they like down to Clause 5, but I do not think there would be any use in our doing so. I think it is for the Committee to consider what part of Clause 5 they wish to remain, if any.

VISCOUNT ST. ALDWYN: Has not the noble Earl made up his mind on the subject?

*THE EARL OF CREWE: Oh yes, I have made up my own mind.

VISCOUNT ST. ALDWYN: Would it not be better for the noble Earl to place his suggestions on the Paper for our information?

*THE EARL OF CREWE: No, because we have not altered Clause 4. It has been altered by noble Lords opposite, and I think it is for them to decide what action should be taken with regard to Clause 5.

THE DUKE OF DEVONSHIRE: Might I ask the noble Earl the Lord President of the Council, whether it would be possible to have the Bill reprinted so as to include Clause 4 as amended ?

*THE EARL OF CREWE: I believe there has been some mistake in regard to this matter. The intention was that the Bill should be reprinted and circulated every evening, including the Amendments up to the point which we have reached. I think it has been arranged to reprint it in future, and it will be available for your Lordships to-morrow.

House resumed, and to be again in Committee to-morrow.

House adjourned at five minutes past Eleven o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS.

Wednesday, 7th November, 1906.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

ADMINISTRATIVE COUNTY OF LONDON AND DISTRICT ELECTRIC POWER BILL (BY ORDER).

Order for Second Reading read, and discharged. Bill withdrawn.—(*The Chairman of Ways and Means.*)

CLYDEBANK AND DISTRICT WATER AND BURGH EXTENSION ORDER CONFIRMATION BILL.

Considered; to be read the third time Friday.

PRIVATE BILLS (GROUP K).

Sir JOSEPH LEESE reported from the Committee on Group K of Private Bills; That at the meeting of the Committee this day a letter was received from Mr. John Walter Hills, one of the members of the said Committee, stating that he was unable, on account of detention by private affairs, to attend the Committee this day.

Report to lie upon the Table.

PETITIONS.

LOCAL GOVERNMENT (SCOTLAND) ACT (1894) AMENDMENT BILL.

Petition from Paisley, against; to lie upon the Table.

RETURNS, REPORTS, ETC.

COTTON GROWING.

Return [presented 5th November] to be printed. [No. 342.]

TRADE REPORTS (MISCELLANEOUS SERIES.)

Copy presented, of Diplomatic and Consular Report, Miscellaneous Series, No. 655 [by Command]; to lie upon the Table.

COMMERCIAL TRAVELLERS.

Copy presented, of Memorandum summarising the Regulations in Force in British Possessions and Protectorates and Foreign Countries with regard to British Commercial Travellers [by Command]; to lie upon the Table.

POST OFFICE (FOREIGN AND COLONIAL POST).

Copy presented, of the Foreign and Colonial Post Amendment (No. 14) Warrant, 1906, dated 19th October, 1906 [by Act]; to lie upon the Table.

POST OFFICE (INLAND POST).

Copy presented, of the Inland Post Amendment (No. 8) Warrant, 1906, dated 19th October, 1906 [by Act]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

The Home Fleet.

MR. BELLAIRS (Lynn Regis): To ask the Secretary to the Admiralty when the Coastguard Squadron was abolished; what proportion of the full complement was at that time allotted as crews of the ships; and what will be the proportion of the full complements now that the squadron is to be re-established under the name of the Home Fleet

(*Answered by Mr. Edmund Robertson.*) The inference is incorrect that the former Coastguard Squadron is to be re-established under the name of the Home Fleet, as the constitution and arrangements are quite different, and any comparisons such as proposed would b fallacious and misleading.

Dockyard Wages.

SIR JOHN BENN (Devonport): To ask the Secretary to the Admiralty whether the last financial year commenced in His Majesty's Dockyards on 1st April last; and, if so, are the men to be paid the extra two hours worked from 1st April to 2nd July, seeing that they worked 50 hours per week during that period instead of 48 hours which now constitutes a week.

(*Answered by Mr. Edmund Robertson.*) The present financial year began on 1st April, 1906. It is not proposed to make any payment to the dockyard workmen in respect of the time worked between 1st April and 2nd July in excess of 48 hours a week. The date for the introduction of the uniform 48 hours' week was determined by the fact that the average 48 hours' week had been instituted on the 2nd July, 1894, and by the consideration that the adoption of any other date must necessarily have resulted in a pecuniary loss either to the Crown or to the men themselves.

Overtime at the Central Telegraph Office

MR. A. ALLEN (Christchurch): To ask the Postmaster-General whether he will state the total number of hours overtime worked by the staff of the Central Telegraph Office during the months of June, July, and August, 1906; and whether, in view of official statements that the staff of the office receive liberal modifications of duty, he will state the number of the staff who received modifications of duty from May to September, inclusive, with the total number of hours allotted to the recipients.

(*Answered by Mr. Sydney Buxton.*) The number of hours overtime worked by the staff of the Central Telegraph Office during the months of June, July, and August, 1906, were 38,407, 44,244, and 50,149 respectively, the male staff being 2,180. The number of cases in which modifications of duty were allowed between May and September, and the total number of hours allotted to the recipients, mainly on Saturday afternoons, were 8,042 and 4,872 respectively,

Expenditure on Battleships.

Mr. F. E. SMITH (Liverpool, Walton): To ask the Secretary to the Admiralty whether he can state the total sum spent during the last eighteen months on the battleships "Sanspariel," "Anson," "Camperdown," "Benbow," "Howe," and 'Rodney," officially classed as first-class battleships; and whether the Admiralty are of opinion that the sum expended maintains the vessels in a state of immediate readiness for war.

(*Answered by Mr. Edmund Robertson.*) The sum of £1,489 has been spent on the ships named during the last eighteen months. The expenditure was not for the purpose of maintaining the ships in a state of readiness for war, but with a view to their upkeep pending removal to the sale list next year.

Postal Collections and Deliveries.

Mr. JAMES O'CONNOR (Wicklow, W.): To ask the Postmaster-General whether he is aware that at Row, in Scotland, Petersfield, and other places, letters are delivered and collected by men who are neither employed by the Post Office direct, nor under allowance to postmasters, but are servants of mailcart contractors; and whether he will take steps to stop this practice.

(*Answered by Mr. Sydney Buxton.*) It is the fact that under certain exceptional circumstances letters are delivered and collected by mail cart drivers. This arrangement is made in the interest of the public service; and, as the same steps are taken for the security of correspondence as in the case of ordinary postmen, I see no reason for modifying it.

Telegraphic Delays and the Reduction of the Staff.

Mr. W. T. WILSON (Lancashire, Westhoughton): To ask the Postmaster-General whether he can explain the reason for the delays on telegraph work, while at the same time the staff is being reduced at a number of offices and the work is decreasing; whether he is aware that no change in the holiday system of the staff has taken place for a number of years, while delays on messages have been increasing during the past two or three years; whether definite instructions are issued to officers in certain offices that certain averages are to be maintained in each circuit before additional ones are opened; and whether the use of high-speed Wheatstone apparatus is forbidden until a delay of 30 minutes on ordinary commercial work has accrued.

(*Answered by Mr. Sydney Buxton.*) I fear that I can add little to the reply I gave to the hon. Member a few days ago. There must at times be delay of telegrams unless offices are kept perpetually staffed on a scale to deal with every exceptional pressure. The hon. Member will see that such a course is altogether impracticable. It is clearly the duty of superintendents to see that a proper average of work is attained on circuits which are open before they open others, and this also I trust the hon. Member will recognise to be reasonable. The use of Wheatstone apparatus on emergencies is a matter rather too technical for explanation in reply to a Question.

Income-Tax.

Mr. SEARS (Cheltenham): To ask Mr. Chancellor of the Exchequer whether the Board of Inland Revenue have obtained a Return from surveyors of taxes showing the amount of income-tax paid to revenue in respect of income which escaped assessment or was insufficiently assessed and subsequently recovered in England and Wales for a period of ten years; will he state the total amount of additional duty paid to the revenue as shown by such Return, and the number of taxpayers concerned, and in respect of how many years the back duty was recovered; and will he state the amount remitted as conscience money during the same period.

(*Answered by Mr. Asquith.*) No such Return has been obtained by the Commissioners of Inland Revenue. As regards so-called "conscience money," a considerable proportion of the payments are not accompanied by any evidence whether they are in respect of income tax or other taxes or debts due to the Exchequer. Any Return which could be given in connection with an inquiry relating to income tax would therefore necessarily be misleading.

Admiralty Memorandum on Crews Afloat.

MR. ARNOLD-FORSTER (Croydon): To ask the Secretary to the Admiralty whether the statement in the memorandum recently published by the Admiralty, that no alteration will be made in the proportion of officers and men serving afloat, refers to officers and men in fully commissioned sea-going ships; or whether the expression serving afloat is to be taken to include officers and men in ships with nucleus crews anchored in the naval ports or afloat in the basins.

(*Answered by Mr. Edmund Robertson.*) The statement referred to by the right hon. Gentleman is intended to convey that the service at sea of officers and men in the whole will not be less than at present, and may be more. Such is the expectation of the Admiralty, but as the formation of the Home Fleet is still in course of development and will not be complete for some time, it is not possible to give any more definite reply at present.

The Imperial Institute.

MR. HAROLD COX (Preston): To ask the President of the Board of Trade whether the Indian princes and other persons who subscribed money for the building and endowment of the Imperial Institute were consulted before it was decided to devote three-fifths of the building to the purposes of the London University; and whether any offer was made to refund to them the whole or a proportional part of their subscriptions.

(*Answered by Mr. Kearley.*) I am not aware what communications, if any, took place between the former Council of the Imperial Institute and the subscribers before making the arrangement with the Treasury under which, in consideration of certain financial advantages to the Imperial Institute, a portion of the building was devoted to the London University. This change was effected in 1899, before the Imperial Institute (Transfer) Act, 1902, placed the management of the Imperial Institute under the Board of Trade.

Midland Railway—Untrained Goods Guards.

MR. HUDSON (Newcastle-on-Tyne): To ask the President of the Board of Trade if his attention has been called to the action of the Midland Railway Company in placing untrained men in charge of goods trains without their having passed the usual examination; and whether, in view of the danger involved to the lives of the men employed, he will cause inquiry to be made into the matter.

(*Answered by Mr. Kearley.*) My right hon. friend has communicated with the Midland Railway Company on this matter, and is informed that there is no foundation for any suggestion that they have placed in charge of goods trains untrained men who are not qualified to perform their duties.

Trade Unions—Out-of-Work Benefits.

MR. ALDEN (Middlesex, Tottenham): To ask the President of the Board of Trade whether he is aware that certain trade unions of skilled men in Great Britain pay out-of-work benefits to the extent of about £500,000 per annum; whether he will, through the Labour Department, cause inquiry to be made into the methods employed by Continent Governments of assisting such trade unions; and whether, in view of the importance of encouraging this special form of thrift, he will consider the possibility of making proportionate contributions towards the cost of trade union insurance against unemployment.

(*Answered by Mr. Kearley.*) I am aware of the fact stated in the first part of the Question. My hon. friend will find a good deal of information on the subject in which he is interested in certain recent numbers of the Labour Gazette, of which I am sending him copies. If he will suggest in what particulars he desires that this information should be supplemented, the Department will be glad to consider how far they can meet his wishes. I have no reason to think that a contribution out of public funds towards the support of this particular form of thrift would be welcomed by trade unions in this country.

Pauper Litigants.

MR. ALDEN: To ask Mr. Attorney-General how many persons were admitted to litigate *in forma pauperis* in Scotland and England during 1905, or the last complete statistical year, and whether in any such cases when unsuccessful the barristers and solicitors received any fees; whether he is aware that in Germany, France, Denmark, Switzerland, and Italy fees and expenses are often paid or advanced by the Treasury of the State, and seeing that the institution called the Poor Man's Lawyer is established in connection with university settlements all over the country, and that in very few instances are the cases actually taken into court to obtain justice, he would see his way to institute an inquiry into this matter with a view to arranging that not only at the settlements but also at every county court there should be one or more solicitors appointed and paid to advise the poor, and to conduct actions when necessary on behalf of those whose cause of action is certified by a properly qualified authority as a *prima facie* one.

(*Answered by Sir John Walton.*) The subject of this Question will receive consideration, but, as at present advised, I cannot hold out any prospect that the Government will create appointments of the kind suggested.

China and Tibet.

MR. REES (Montgomery Boroughs): To ask the Secretary of State for India whether the recently concluded treaty with China regarding Tibet provides for the continuation of the monopoly the former has in the latter country in respect of the tea trade to the exclusion of the Indian grown leaf.

(*Answered by Mr. Secretary Morley.*) There is no special reference to tea in the Convention with China of 27th April, 1906, or the Convention with Tibet of 7th September, 1904. Both these Conventions have been published in [Cd. 3088].

State of Bikanir—Delayed Memorial.

DR. RUTHERFORD (Middlesex, Brentford): To ask the Secretary of State for India whether his attention has been drawn to the fact that the Government of India have withheld transmission of a memorial addressed to His Majesty's Secretary of State for India by Thakur Bhairon Singh and two others, nobles of the State of Bikanir, in Rajputana, in the matter of their imprisonment and of the confiscation of their jagirs under orders of the Maharajah of Bikanir; whether the memorial in question has been in consequence forwarded directly to him; is he aware that one of the grounds of complaint is the action of the Government of India in dismissing the memorialists' appeal to them without assigning any reason or supplying them with the grounds of their refusal; and seeing that one of the memorialists has died in confinement, and that a second has been recently released by order of the Maharajah, he will take into consideration the case of the third memorialist, whose alleged offence is identical, and who has been kept strictly imprisoned within the fort at Bikanir since the 2nd January, 1905.

(*Answered by Mr. Secretary Morley.*) I have been furnished with a copy of the memorial in question, but I have not received it from the Government of India; if they have withheld it, I shall be informed by them in due course. I gather from the copy of the memorial furnished to me that the order of the Government of India appealed against is a refusal to interfere in a matter of internal policy with the action of the Ruler of a Native State of which the memorialists are subjects. I observe from the last paragraph of the Question that the Ruler of the Native State concerned has released one of the memorialists.

Indian Educational Staff.

DR. HAZEL (West Bromwich): To ask the Secretary of State for India whether he is aware that Mr. E. Candler, a newspaper correspondent, was announced in the Calcutta Gazette of the 11th of September last as appointed temporarily to be a member of the Indian Educational Service; whether the object of this form of notification is to secure that Mr. Candler shall draw full pay while officiating as Principal of the Hooghly College instead of acting allowance, and that a vested interest may be created which shall pave the way to his permanent appointment; and whether, in view of the pledge given to the House that the appointment made was purely a temporary one during the absence on leave of the permanent incumbent, he will say what steps he proposes to take in the matter.

(*Answered by Mr. Secretary Morley.*) I stated on the 27th of June that Mr. Candler's appointment was a temporary one.† It is still a temporary one, and it cannot be made permanent without my sanction. I see no reason for taking any action in the matter at present.

The Calcutta Madrassah.

DR. HAZEL: To ask the Secretary of State for India whether he will explain why Mr. J. A. Chapman, recently a clerk in an exchange bank, has been confirmed in the appointment of principal of the Calcutta Madrassah, in view of the pledges given to the House that his appointment was a temporary one, which would presumably terminate when Dr. Ross, the permanent incumbent, returned to Calcutta on the conclusion of a two months' deputation on special duty at Simla.

(*Answered by Mr. Secretary Morley.*) It is not the case that Mr. Chapman has been confirmed as principal of the Calcutta Madrassah. He has, as I previously stated, been acting temporarily during the absence of Dr. Denison Ross, and his officiating tenure has now, I believe, come to an end.

Presidency College, Calcutta.

DR. HAZEL: To ask the Secretary of State for India whether his attention has been drawn to the appointment of a junior professor of the Presidency College at Calcutta to be principal of that college, in supersession of the claims of two senior professors, one of whom has already previously officiated as principal and also acted as Director of Public Instruction in Assam; and whether, in view of the fact that nothing unfavourable is on record against either of the officers so superseded, he will inquire into the circumstances of the case before the office of principal becomes permanently vacant in January next.

(*Answered by Mr. Secretary Morley.*) The selection of an officer for this officiating appointment was made by the Local Government in the exercise of their discretion, and I see at present no reason to interfere with their decision.

Woolwich Arsenal Discharges.

MR. MEYSEY-THOMPSON (Staffordshire, Handsworth): To ask the Secretary of State for War how many men have been discharged from Woolwich Arsenal during each period of three months since October, 1905; from what departments there have been the largest number of men discharged; and whether the present rate of discharges will continue.

(*Answered by Mr. Secretary Haldane.*) The number of discharges from the various Army departments at Woolwich Arsenal for the period referred to are as follows:—

(1) Ordnance Factories.

Period.		Total.
From week ended.	To week ended.	
4.11.05	27.1.06	273
3.2.06	28.4.06	407
5.5.06	28.7.06	614
4.8.06	27.10.06	563

---

† See (4) *Debates*, clx., 10

(3) Inspection Department.

	Men.	Boys.
December Quarter, 1905 - -	—	—
March Quarter, 1906 - - -	—	—
June Quarter, 1906 - - -	8	31
September Quarter, 1906 - -	27	4
1st to 27th October, 1906 -	17	—

(2) Army Ordnance Department.

	Royal Arsenal.	Royal Dockyard.
December Quarter, 1905 - -	1	2
March Quarter, 1906 - - -	19	2
June Quarter, 1906 - - -	—	16
September Quarter, 1906 - -	37	4

As regards the Ordnance Factories, the largest number of discharges have taken place from the Royal Laboratory; and, as I informed the hon. Member for Great Yarmouth on the 29th ultimo,† it is expected that the further discharges from the factories will not be more than 150 or 200 men.

Ipswich Barracks Contract.

MR. J. WARD (Stoke-on-Trent): To ask the Secretary of State for War whether he is aware that the trade union rates of wages and working conditions are not observed in the case of the navvies and labourers employed by the contractors Messrs. Bennett and Messrs. Parkington, upon the alterations in course of execution at the Royal Artillery barracks, Ipswich; and whether he proposes to take any action in the matter.

(*Answered by Mr. Secretary Haldane.*) I have made careful inquiry into this matter. The information I have obtained shows that the rate of wages current locally is being paid to the labourers employed on War Department contracts by the firms mentioned.

The Royal Artillery.

MR. ARNOLD-FORSTER: To ask the Secretary of State for War whether any, and, if so, what steps are being taken to reduce the Royal Artillery; and whether the pledge given by the Under-Secretary of State to the effect that there will be no reduction in the Artillery till trained militiamen liable to serve abroad can take their place, and that there will be no stoppage of recruiting for the Artillery till militiamen who are liable to serve abroad take their place will be strictly adhered to.

(*Answered by Mr. Secretary Haldane.*) I presume that the right hon. Gentleman refers to the Horse and Field Artillery only. The corps is being recruited up to its present establishment and no reduction has taken place. There is no reason to suppose that the pledge given by my noble friend in another place will not be strictly adhered to.

---

† See (4) *Debates*, clxiii., 686.

Case of Private Pitt, A.S.C.

VISCOUNT TURNOUR (Sussex, Horsham): To ask the Secretary of State for War whether his attention has been called to a court martial held at Cape Town in May last on Sergeant (now Private) Pitt, of the Army Service Corps, for applying to his own use the sum of £33 13s. during the period he was caterer of the garrison sergeants' mess, and for negligently conducting the sales of the said mess; whether he is aware that Pitt was acquitted on the first charge, but found guilty on the second, and sentenced to reduction to the rank of private and stoppage of pay to the amount of £33 13s.; whether he is aware that the appointment of Pitt as caterer when in performance of other duties which necessitated his absence from the mess and canteen for the greater part of the day was a breach of regulations; and whether, having regard to this fact, and to the fact that Pitt has a wife and two children to support to whom the stoppage from his pay of £33 is a serious matter, he will reconsider the case.

(*Answered by Mr. Secretary Haldane.*) The facts as regards the trial of Sergeant (now Private) Pitt are as stated. In a garrison sergeants' mess, all the members are employed on some special duty, so it is not always possible to relieve the caterer from other duties. Sergeant Pitt was clerk in the office of the staff captain, naval base, and his duties occupied only about four hours a day, so that he had ample time for his duties as caterer. The proceedings of the court martial have been carefully reviewed by the Judge Advocate General, and I see no reason for relieving Private Pitt from the consequences of his acts.

Army Nursing Service.

MR. RENDALL (Gloucestershire, Thornbury): To ask the Secretary of State for War why in the official Army List the names of the ladies of the nursing staff are entered alphabetically and not by seniority; whether this is not the only department of the Army which is so treated; and, if so, will he explain the reason for this different treatment of women and men in His Majesty's service.

MR. RENDALL: To ask the Secretary of State for War, whether ladies of the nursing service are promoted by seniority coupled with selection; whether he is aware that, as their names are placed on the Army List alphabetically and not according to seniority, they have no means of knowing how they stand for promotion and foreign service; and whether he will look into the matter with a view to inaugurating a fairer and more business-like system.

(*Answered by Mr. Secretary Haldane.*) I will answer this and the subsequent Question by saying that the arrangement of the names of the members of the Queen Alexandra's Imperial Military Nursing Service in the Army List in alphabetical order was made at the request of the Nursing Board (in December, 1902). It was decided at that time that promotion in this service should be by selection and not by seniority. The reason for this is that promotion is made by selection and not by seniority, and the Nursing Board therefore preferred an alphabetical list. Regarding foreign service, the regulations lay down that those who have been longest at home will, as a general rule, be the first to proceed abroad. Arrangements of names cannot, therefore, affect this matter in any way. It is a fact that the nursing service is the only department in which names are shown alphabetically in the Army List, with the exception of the acting chaplains.

Army Pensions.

MR. PARTINGTON (Derbyshire, High Peak): To ask the Secretary of State for War if the present system of paying Army pensions can be altered so that the pensions can be drawn weekly instead of quarterly.

(*Answered by Mr. Secretary Haldane.*) As I have stated on Monday last, in reply to the hon. Member for North Fermanagh† a Committee is about to assemble to report upon this question.

The Reduced Battalions.

MR. CLAVELL SALTER (Hants, Basingstoke): To ask the Secretary of State for War, if he can State approximately for what period he anticipates it will be necessary to keep the officers and non-commissioned officers of the battalions about to be disbanded upon the supernumerary establishment before they can be absorbed into their own or other regiments; and whether, in view of the fact that the course it is proposed to adopt will entail injury to the prospects of these officers and non-commissioned officers, especially in regard to their chances of promotion, he will say what steps it is proposed to take in order to mitigate such injury.

---

† See Col. 94–95.

(*Answered by Mr. Secretary Haldane.*) It is not possible to state how long the officers and non-commissioned officers of of these regiments will remain on the supernumerary list. As regards promotion, it must be remembered that the battalions now reduced were raised at a comparatively recent date, and consequently have enjoyed a more than ordinary flow of promotion. However, I recognise that there may be cases in which these reductions bear hardly on individuals, and these cases will be met by promotion into other regiments as occasion offers.

Duke of York's School.

MR. COURTHOPE (Sussex, Rye): To ask the Secretary of State for War when he will be in a position to state the decision of the Government as to disposing of the site of the Duke of York's School.

(*Answered by Mr. Secretary Haldane.*) I am not in a position to say more than that this matter is still under the consideration of the Inter-departmental Committee, and that it may be some time yet before a decision is arrived at.

Irish Land Purchase Act, 1903.

CAPTAIN CRAIG (Down E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether Section 54 of The Land Purchase Act, 1903, applies merely to those cases where an agreement has been signed for the purchase of the holding but where no money has been advanced and the vesting order has not yet been made; and whether the Land Commission has power, and, if so, in what cases, to consent to a mortgage for a larger amount than that allowed by the Act.

(*Answered by Mr. Bryce.*) Section 54 of the Act of 1903 applies only to cases in which the purchase money has been advanced. The Land Commission hold that, under Sub-section (3) of Section 54, they have a discretionary power to consent to a mortgage for a larger amount than that which, without such consent, the sub-section allows.

Russia and the Aland Islands.

MR REES: To ask the Secretary of State for Foreign Affairs whether any information has been received that the Russians have vacated the islands of Aland.

(*Answered by Secretary Sir Edward Grey*). I have nothing to add to the reply given to the hon. Member for Blackpool on the 25th ultimo.†

Drumderg Letter Delivery

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Postmaster-General whether he is aware that Mr. William Hurst, J.P., Drumderg, county Fermanagh, has been compelled to pay the post office, Enniskillen, the sum of £3 3s. for delivery of his letters in his own post bag at his gate for the year 1906, though for many years past the sum demanded for that service was £1 1s. only; what is the reason for so large an increase; and whether, as Mr. Hurst would be entitled to free delivery of his letters daily at his house if not put in his own post bag, he can see his way to reduce or abolish the charge for delivery of his letters in his own post bag.

(*Answered by Mr. Sydney Buxton.*) Prior to the 1st of January last Mr. Hurst paid £2 6s. a year in respect of his private bag, namely £1 1s. for making it up, and £1 5s. for its conveyance by mail cart. The proper fee for conveyance was £2 2s., but apparently the mail contractor omitted to charge the full fee. The fees are now collected by the Department, and Mr. Hurst has, therefore, been charged the correct fee of £2 2s. a year for conveyance, thus making his total payment for the year £3 3s. I see no reason for waiving or reducing the charges in this case. By using a private bag Mr. Hurst secures a delivery at 6.30 a.m., whereas if his letters were delivered by postmen in the ordinary way the delivery would not be effected until 9 a.m.

---

† See (4) *Debates*, clxiii., 411.

Unemployed Grants—Erith and Dartford Claims.

MR. ROWLANDS (Kent, Dartford): To ask the President of the Local Government Board whether he has received applications from the Unemployed Committees of Dartford and Erith; and whether he has replied that they do not come within the limit of those who are entitled to contributions from the £200,000 set aside for the unemployed; if so, can he say what is the basis upon which the money allocated by Parliament is to be distributed.

(*Answered by Mr. John Burns.*) The basis upon which I am proposing to distribute the Grant is to limit payments from it to the places in which there appears to be exceptional need for assistance. I issued a Circular on the 12th October to certain distress committees in which I explained this, and stated that, on the information then before me, I did not propose to make any payment to them out of the Grant. The Circular was sent to the distress committees of Dartford and Erith, amongst others, and I have not since received any communication from them on the subject.

Limerick and Tralee Railway Service.

MR. O'SHAUGHNESSY (Limerick, W.): To ask the President of the Board of Trade whether his attention has been called to the fact that the trains running between Limerick and Tralee have generally only two second class carriages, a smoking and non-smoking carriage; and whether he will take steps to see that the Great Southern and Western Railway Company provide sufficient accommodation for second-class passengers on this line, as was provided by the Waterford and Limerick Railway Company, in view of the fact that they are bound to give equal facilities to the public under the Act amalgamating the Waterford and Limerick Railway Company with the Great Southern and Western.

(*Answered by Mr. Kearley.*) My attention had not previously been called to this matter, but I have caused a copy of the hon. Member's Question to be forwarded to the Railway Company for their observations on the subject, and I will communicate with him upon receipt of the Company's reply.

Civil Servants and Parliamentary Candidatures.

MR. W. T. WILSON: To ask the Secretary to the Treasury when it was decided that where a Member of His Majesty's Civil Service becomes a candidate for Parliament, he will, upon adoption, be retired upon half-pay, irrespective of the result of the election.

(*Answered by Mr. McKenna.*) No such decision as that embodied in the hon. Member's Question has been arrived at. But under an Order in Council of the 29th November, 1884, any person in the permanent Civil Service of the State who seeks a seat in the House of Commons must resign his office as soon as he issues his address to the electors, or in any other manner announces himself as a candidate.

QUESTIONS IN THE HOUSE.

Naval Instructors.

MR. MOND (Chester): I beg to ask the Secretary to the Admiralty whether in view of the recommendation of the Douglas Committee, that no naval instructors should be employed afloat under the new scheme of naval education, he can state what it is proposed to do with naval instructors at present on the active list; and whether, if any are compulsorily retired, they will give any, and, if so, what amount of compensation.

THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): The necessity has not yet arisen for any action such as that suggested in the hon. Member's Question. Every consideration will be given, however, should it become necessary to retire any of these officers compulsorily.

White and Coloured Labour in the African Mines.

MR. DUNCAN SCHWANN (Cheshire, Hyde): I beg to ask the Under-Secretary of State for the Colonies what number of skilled white workmen, and what number of unskilled white workmen, what number of Chinese coolies, and what number of Kaffir or black labourers were employed on the mines of the Witwatersrand on 30th September, 1905, and what were the corresponding figures for June, 1906, and for September, 1906; and what are the respective numbers of skilled and unskilled white and coloured labourers employed in the Barberton district.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): The total number of white workmen, Chinese and natives employed on the gold and other mines of the Witwatersrand district were as follows on the dates specified:—

	Whites.	Chinese.	Natives.
30th Sep., 1905	16,980	44,538	88,981
30th June, 1906	17,260	52,352	82,733
31st Aug., 1906	16,957	52,111	84,187

The detailed Returns for 30th September, 1906, have not yet been received; and the Returns do not distinguish between skilled and unskilled white workmen. No separate Returns are received for Barberton, but in the Pretoria district, which includes Barberton, Lydenburg and Pietersburg, the figures for the same dates were:—

	Whites.	Chinese.	Natives.
30th Sept., 1905	1,312	0	11,106
30th June, 1906	1,309	0	13,062
31st Aug., 1906	1,287	0	11,824

White Labour in Johannesburg.

MR. DUNCAN SCHWANN: I beg to ask the Under-Secretary of State for the Colonies what is estimated to be the number of white working men at present employed in Johannesburg, and what were the numbers on the average employed during last June.

MR. CHURCHILL: I regret that I have no figures at my disposal to enable me to make the estimate which my hon. friend desires.

St. Helena.

MR. HICKS BEACH (Gloucestershire, Tewkesbury): I beg to ask the Under-Secretary of State for the Colonies whether, in view of the fact that the garrison has now left the island of St. Helena, His Majesty's Government propose to take any steps to assist the inhabitants in mitigating the economic difficulties that are likely to ensue in consequence of the removal of the troops.

MR. CHURCHILL: As indicated in the reply to the hon. Member for Gravesend yesterday, the Secretary of State thinks it premature to discuss the question of a monetary grant at present, and hopes that the proposals for developing the natural resources of the island, as to which he is in communication with the representatives of the inhabitants, will have the effect of mitigating the economic difficulties.

MR. HICKS BEACH: Is the hon. Gentleman aware that already large numbers of people are out of work, and that owing to the lack of funds the Colonial Government has been compelled to abandon the ordinary repairs of the roads in the island?

MR. CHURCHILL: I am not in possession of those facts.

VISCOUNT TURNOUR (Sussex, Horsham): When do you expect to be in possession of them, and what steps do the Government propose to take?

MR. CHURCHILL: I cannot make any general statement. I can only repeat that efforts are being made to mitigate the economic congestion caused by the withdrawal of troops, a step not inaugurated by the present Government.

MR. HICKS BEACH: Will the Government consider the granting of money for the repair of the roads?

MR. CHURCHILL: I cannot answer any Question as to policy.

MR. CHIOZZA MONEY (Paddington, N.): Is not the case of St. Helena on all fours with that of Woolwich Arsenal?

[No Answer was returned.]

MR. HICKS BEACH: I beg to ask the Under-Secretary of State for the Colonies whether the Colonial Office has yet sent any reply to a letter addressed to the Secretary of State by the St. Helena Committee in September last.

MR. CHURCHILL: A reply was sent to the Committee on the 2nd of this month.

Newfoundland.

MR. ASHLEY (Lancashire, Blackpool): I beg to ask the Under Secretary of State for the Colonies whether the provisional consent of the Newfoundland Government was obtained in 1890 to the *modus vivendi* with France respecting the Newfoundland lobster fishery, previous to the Act passed by the Colonial Legislature in May, 1891.

MR. CHURCHILL: The Act of 1891 did not refer to the *modus vivendi* of 1890, but to that of 1891, and I have already indicated in reply to the hon. Member's Question of the 5th instant† that effect was given by Her late Majesty's Government to the *modus vivendi* of the former year in the absence of any consent on the part of the Newfoundland Government.

Nigerian Police.

CAPTAIN CRAIG (Down, E.): I beg to ask the Under-Secretary of State for the Colonies whether he is aware that the Political and Constabulary Departments in Northern Nigeria are singled out for exceptionally disadvantageous treatment in the matter of leave, inasmuch as these two Departments only get five months for eighteen months' service, whereas in comparison with other Departments the proportion should be six months; and is he aware that the Political Department for some time received £50 extra for doing an eighteen months tour of service, which has recently been withheld from them although the tour remains the same, and the officers, with few exceptions, have to live in mud huts, and seeing that the cost of living is on the increase, will he take the case of these officers into consideration.

MR. CHURCHILL: No disadvantageous treatment is admitted. The length of leave granted to officers of the Departments referred to is determined on medical grounds, and is not to be settled by strict comparison with the leave granted to officers employed in more sedentary work. The salaries of political officers were raised at the time the system was introduced, but it was recognised that an increase was desirable on general grounds, and was not to be regarded simply as compensation for the longer tour of service. No portion of this increase has been "withheld," but new appointments to the lowest grade are now made at £300 a year instead of at £350.

Chinese Coolie Immorality.

MR. RENDALL (Gloucestershire, Thornbury): I beg to ask the Under-Secretary of State for the Colonies what steps he proposes to take upon the Report of Mr. Bucknill as to the condition of morality amongst the Chinese indentured labourers in the Transvaal.

The following Question on the same subject also appeared on the Paper:—

MR. MORRELL (Oxfordshire, Henley): To ask the Under-Secretary of State for the Colonies whether the Government propose to lay upon the Table the whole or any portion of the Report made by Mr. Bucknill upon the alleged prevalence of unnatural vice in Chinese compounds and of the evidence upon which that Report is based; and what steps the Government are taking to deal with the matter.

MR. CHURCHILL: Owing to the nature of the subject the inquiry conducted by Mr. Bucknill was from the first and throughout strictly confidential. Publication of his Report or of any of the statements upon which it was founded has never been contemplated. But the matters disclosed are engaging the most serious attention of the Government, who will adopt without delay such steps as seem to them to be necessary to deal with the case.

MR. RENDALL asked whether, as elections were about to take place in the Transvaal, some of the evidence ought not to be placed at the disposal of those who were opposed to Chinese labour, especially having regard to the fact that Lord Selborne had recently written a letter calling on the electors to attend pro-Chinese meetings.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): I am concerned only with this one matter. This Report and the evidence were from the first absolutely confidential, and in the nature of the case must have been confidential, or the inquiry would not have been successful. There is no ground for breaking that confidence now; but the Government are determined to deal with the matter vigorously and promptly.

---

† See Col. 115.

MR. DALZIEL (Kirkcaldy Burghs) asked whether, having regard to the public importance of the matter, the Government would consider the desirability of putting a copy of the Report and the evidence in the library in order that Members might judge for themselves, especially as certain persons had seen both Report and evidence.

SIR H. CAMPBELL-BANNERMAN: I do not think it would maintain their confidential character if we laid these Papers in the library.

Straits Settlements Currency.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): I beg to ask the Under-Secretary of State for the Colonies whether the Government of the Straits Settlements has resolved to reduce the Straits dollar from 416 grains 900 fine to 416 grains 800 fine; and whether this step has been approved by his Majesty's Government.

MR. CHURCHILL: Yes, Sir.

MR. MITCHELL-THOMSON: Is that the Answer to both Questions?

MR. CHURCHILL: Yes, Sir.

Dock and Wharf Accidents.

MR. HOOPER (Dudley): I beg to ask the Secretary of State for the Home Department if he is able to ascertain and report to the House the number of accidents, distinguishing between fatal and non-fatal, that occurred during the year 1905 at docks, wharves, and quays through defective lifting tackle.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. GLADSTONE, Leeds, W.): The number of accidents in 1905 at docks, wharves, and quays which were due to lifting tackle moved by mechanical power was 1,221, of which 39 were fatal. I regret that I am unable to say how many of these were caused by actual defects in the tackle, and the information would be difficult to obtain. The Chief Inspector informs me, however, that fuller note is being taken of dock accidents during the current year with a view to more detailed classification, and that he hopes to give in next year's report figures of accidents due to defects in tackle moved by power. Particulars are not available as to accidents due to tackle not moved by power.

Case of Mrs. Elizabeth Perkins.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the prosecution of Mrs. Elizabeth Perkins, who, on or about 23rd October, was arrested and charged with perjury, on evidence of identification given by four policemen and a matron, and after two remands was discharged on Friday last, without a stain on her character, by the magistrate sitting at the Tower Bridge Police Court; whether on or about 23rd October the finger print impressions of Mrs. Perkins were taken; whether these impressions were compared with the finger print impressions of the woman convicted in June, 1905, who Mrs. Perkins was supposed to be; and, if so, what was the result of such comparison, and why, when the case was heard on remand on 31st October, the police persisted in going on with the prosecution, notwithstanding the information then in their possession.

The following Questions on the same subject also appeared on the Paper:—

MR. RENDALL: To ask the Secretary of State for the Home Department whether his attention has been called to the case of Mrs. Elizabeth Perkins, a widow, who was confined in Holloway Gaol on a charge of perjury, which was heard and dismissed at the Tower Bridge Police Court last week; whether he is aware that Mrs. Perkins was offered £4 5s. as compensation for the mistake of the police by Detective Inspector Nicol; and will he explain the methods of calculation pursued by the police in arriving at this sum.

DR. COOPER (Southwark, Bermondsey): To ask the Secretary of State for the Home Department whether his attention has been directed to the case of Elizabeth Perkins, of 19, Tissington Street, Rotherhithe, who was wrongfully indicted for perjury at the Tower

Bridge Police Court on the evidence of identification of four police constables and a prison wardress, the charge being withdrawn and a public apology tendered; whether he is in a position to state whether £2 5s. was offered to Mrs. Perkins by the police as compensation; whether he will refer the case to the Police Commission, now sitting to report upon the present system of police identification; and whether he will consider the advisability of giving Mrs. Perkins adequate compensation.

*MR. GLADSTONE: I propose to answer with this the Questions of my hon. friends the Members for the Thornbury Division of Gloucestershire and the Bermondsey Division of Southwark. Mrs. Elizabeth Perkins, owing to a mistake in identification with another woman of the same name, was charged with perjury, and after two remands and a full hearing the charge was withdrawn, and she was discharged by the magistrate, who stated that she left the Court without a stain on her character. As to the remand of the 31st October, the police were then in doubt about the case and were making further investigation, with the result that two days later the charge was withdrawn. Meanwhile, Mrs. Perkins, who had been altogether in prison for two days, was out on bail. I deeply regret the mistake that was made. The finger prints of the woman convicted in 1905 were not taken, as the case was merely one under a county council bye-law. The statement which has been made that in this case there was a failure of the figure print system was without foundation. If the police had had the finger prints of the woman convicted in 1905, Mrs. Perkins's innocence would have been established at once and beyond doubt; but it is impossible at present to take the finger prints of all prisoners. In dismissing the charge the magistrate expressed the opinion that the accused should be re-imbursed the expenses to which she had been put. This she estimated at 45s. The Commissioner offered her £4, which she has now, I understand, refused. The case does not appear to me to come within the reference to the Royal Commission which has to deal with solicitation, disorderly conduct, and drunkenness.

MR. PICKERSGILL: Why were the finger prints of Mrs. Perkins taken on the 23rd October?

*MR. GLADSTONE said the charge was the serious one of perjury, which brought it within the rule as to the taking of finger prints.

*DR. COOPER asked why the police failed to make the inquiries before the warrant was issued, which, when made after, proved Mrs. Perkins to be innocent.

MR. GLADSTONE: I have no doubt that certain members of the police made a mistake, which I much regret, but inquiries were instituted, with the result that the charge against Mrs. Perkins was withdrawn.

*DR. COOPER: Will the right hon. Gentleman consider the advisability of giving adequate compensation in this case?

*MR. GLADSTONE: I am not yet aware whether Mrs. Perkins intends to take any action against the police for wrongful arrest, and until I am in possession of information on that point I could not make any statement as to compensation.

DR. COOPER: Is the right hon. Gentleman aware that Mrs. Perkins is an extremely poor woman, being, I believe, in receipt of parish relief, and therefore not in a position to take legal proceedings against the police?

MR. KEIR HARDIE (Merthyr Tydvil): Has Mrs. Perkins any remedy against the police?

*MR. GLADSTONE: The Papers only reached me this morning, and it has not been possible for me to make absolutely searching investigation into all the facts, but I am extremely desirous that full justice should be done, and the House may safely leave the matter to me, at any rate for a time.

MR. J. WARD (Stoke-on-Trent): May I ask if the right hon. Gentleman is considering the question of reviving the charge against the man who was the original cause of all the mischief?

*MR. GLADSTONE: I have no information about that part of the subject, and the Question has not been addressed to me before.

Imprisoned Passive Resisters.

MR. COWAN (Surrey, Guildford): I beg to ask the Secretary of State for the Home Department whether, considering that imprisoned passive resisters are not felons but persons voluntarily suffering for their conscientious convictions, he will give instructions that, for the future, such prisoners shall be treated as first-class misdemeanants.

*MR. GLADSTONE: The Secretary of State has no power to order persons committed to prison in default of payment of rates to be treated as first division offenders. All such persons must, according to the positive direction of the Prisons Act, 1898, Section 6 (3), be treated under the rules for debtor prisoners, and cannot be classed with criminal prisoners, whether of the first, second, or third division.

The Imprisoned Women Suffragists.

MR. MORRELL: I beg to ask the Secretary of State for the Home Department whether his attention has been called to statements made by some of the women suffragists now imprisoned in Holloway to the effect that the prison life of the first division for those who do not pay for extra accommodation is little, if at all, better than that of ordinary prisoners; that the cells are situated in an old part of the prison, very dark and damp, and worse, if anything, than the ordinary prison cells; and whether the time has now come when these ladies can be altogether released.

*MR. GLADSTONE: The prison life of the ladies now in Holloway differs from that of ordinary prisoners. They enjoy frequent visits from their friends, they are allowed books, newspapers, and writing materials freely; they can carry on their professional work as far as possible, and they are exempted from prison work if they so wish. The cells in which they are located are of the same age as those in which they were located when in the second division. These cells are neither dark nor damp, and the prisoners themselves do not complain of them.

England and Political Refugees.

MR. PARKER (Halifax): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the arrest of a person named Zingar, at Manchester, on a charge preferred by the Russian authorities, and whether, in view of the fact that he claimed to be a political refugee, the right hon. Gentleman will see that the protection afforded by our law to such was not violated.

*MR. GLADSTONE said that he only received the notice as he came into the House, and he had no knowledge of the matter. He would, however, make inquiry.

MR. KEIR HARDIE (Merthyr Tydvil): As the case is before the Court, will the right hon. Gentleman take immediate action?

A UNIONIST MEMBER: I hope you will send him back.

Sources of Water Supply.

MR. MACLEAN (Bath): I beg to ask the President of the Local Government Board whether he is now in a position to institute an inquiry, either by Royal Commission or Parliament, to investigate, amongst other things, the need for the protection and development of gathering grounds and other sources of water supply, the allocation of such gathering grounds and other sources on a comprehensive and equitable basis, and the general control and supervision of this subject of national importance by some central and properly qualified body; and, if so, whether, in the reference to the body holding such inquiry, he would include the subject of afforestation.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): No, Sir. I do not think I can at present add anything to the reply which I gave to a previous Question by my hon. friend on this subject.

MR. MACLEAN: May I ask the hon. Gentleman whether he will shortly be in a position to institute inquiries.

MR. JOHN BURNS: I may say that the Report of the Royal Commission on Sewage Disposal raises the question of an inquiry, and that the matter is under consideration in my office.

MR. J. WARD: May I ask whether the right hon. Gentleman has considered the fact that in the promotion of the scheme of the Derwent Valley Water Board there was a scramble between the different authorities, and that the cost of promoting this scheme was almost equal to that which the works would involve, and whether in view of the fact that there is unquestionably a general scramble for watersheds on behalf of thickly-populated districts he does not deem it time to have an inquiry into the whole subject.

MR. JOHN BURNS: The subject is precisely one of those which has been raised by the Royal Commission to which I have referred. It is one of many cognate matters now under consideration.

Hollesley Bay Colonists.

MR. FELL (Great Yarmouth): I beg to ask the President of the Local Government Board if his attention has been drawn to the statement that the unemployed at the farm colony at Hollesley Bay, to the number of over 300, were sent up to London to vote at the recent municipal elections; if so, by whose authority was this done, and were the expenses of the trip paid out of the rates of any of the municipalities, out of funds subscribed by the charitable, or out of the £200,000 to be provided by the Government; and if by none of these, by whom were they paid.

MR. JOHN BURNS: I am informed that there were only 138 men at the farm colony on 1st November, and that of these fifty-two came up by special permission of the Working Colonies Committee for the purpose of voting at the borough council elections. I understand that it is usual to give the men three clear days' leave once a month to enable them to look for work in London, and that the leave given on this occasion was in substitution for that to which the men would have been entitled not later than a fortnight from the date of the journey. The expenses will not be defrayed out of the rates, but out of the Voluntary Contributions Account, from which all railway fares in cases of leave are paid. No part of the Government Grant will be applicable for this purpose.

Case of Lily Hobson.

DR. COOPER: I beg to ask the President of the Local Government Board whether his attention has been directed to the case (No. 7) of Lily Hobson, aged four months, the daughter of a carman, who died in the East London Hospital, and whose death was the subject of a coroner's inquest, the verdict returned being starvation due to want of proper food; whether he is aware that the mother applied for the admission of the child to the workhouse, but was refused unless the child was accompanied by the family; whether any inquiry has been made by Local Government Board of the Stepney Board of Guardians why the admission of the family was insisted upon; and whether these guardians have taken any steps to prevent a similar demand being made by their officers when the parents of other children requiring medical treatment and relief apply.

MR. JOHN BURNS: I made inquiry respecting this case, and I was informed that when the mother applied for the admission of the child to the workhouse, an order was given for the husband, wife and child, as she stated that they were going to be turned out that day. I am not able to say whether any special measures have been taken by the Guardians since the case occurred, but I am in communication with them on the subject.

Bucklow School Attendance Officer.

MR. KING (Cheshire, Knutsford): I beg to ask the President of the Local Government Board in the case of Mr. Joseph Wheeler, formerly school attendance officer for the Knutsford district of the Bucklow board of guardians, who resigned early in 1904 and died on 25th November in that year, why the Local Government Board has not yet made the order for payment to his widow of the amount due to him under Section 19 of the Second Schedule of The Education Act, 1902; and when such order will be made.

MR. JOHN BURNS: The matter has been under consideration in connection with a general Order which the Local Government Board propose to issue under the enactment referred to. I hope that the Order will be issued very shortly.

Nottingham Gas Dispute.

MR. RICHARDSON (Nottingham, S.): I beg to ask the President of the Local Government Board whether his attention has been called to allegations made with regard to certain transactions between the gas committee of the Nottingham Corporation and certain trading companies; and whether, having regard to the unrest caused by these charges, and the reflections cast upon individuals, he will direct a public inquiry to be held without delay.

MR. JOHN BURNS: My attention has been called to this matter. I have, however, no authority to direct an inquiry with regard to it as desired by my hon. friend.

MR. RICHARDSON: Seeing that the right hon. Gentleman cannot interfere, will he engage that steps be taken to allay the unrest and suspicion caused by these allegations?

MR. JOHN BURNS: It is within the competence of the town council to institute an inquiry by means of a special Committee, and if the case is very serious to invoke the aid of the police.

Cotton Combine.

MR. CHIOZZA MONEY: I beg to ask the President of the Board of Trade whether he is aware that Messrs. J. and P. Coats, Limited, have made an arrangement with the English Sewing Cotton Company, Limited, whereby their joint products are handled by a single distributing agency, the Central Agency, Limited; that the businesses so amalgamated transact 95 per cent. of the entire home and export sewing cotton trade of the United Kingdom; that, as a consequence, the price of sewing cotton is higher than it would be if free competition existed; and whether he can see his way to take steps, by legislation or otherwise, to secure public control of this important trade.

THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE (Mr. KEARLEY, Devonport): I believe that the statement in the first part of the Question is correct. I have no official information as to the home and export transactions of the businesses named, and there are no means of saying whether the price of sewing cotton to the consumer is or is not higher than it would have been if the arrangement referred to had not existed. As my hon. friend was previously informed, my right hon. friend the President of the Board of Trade is not prepared to introduce legislation in the sense of his suggestion.

District Railway Fares.

MR. CLAUDE HAY (Shoreditch, Hoxton): I beg to ask the President of the Local Government Board whether he has arranged to receive a deputation of the East Ham Workmen's Trains Committee with regard to the fares charged by the District Railway Company, in accordance with the request tendered to him by that committee some time ago.

MR. KEARLEY: My right hon. friend the President of the Board of Trade has replied to this request in a letter, of which I am sending the hon. Member a copy, suggesting that the proposed interview with the committee might be postponed.

Post Office Telephone Charges.

MR. COURTHOPE (Sussex, Rye): I beg to ask the Postmaster-General on what system the charges for telephone calls are entered upon the books of the Post Office, London, telephone service; and what precautions, if any, are taken to safeguard subscribers from being debited with calls when no through connection is obtained. I beg also to ask the Postmaster-General why the Post Office London telephone service have refused to render to subscribers monthly statements of their deposit accounts; and whether, in view of the dissatisfaction at present felt by the public, he will order monthly statements to be rendered in future.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): I may perhaps be allowed to answer the two Questions of the hon. Member at the same time. The telephone calls made by subscribers to the larger exchange in London are recorded by means of meters attached to the lines. At suburban exchanges a written record of calls is made by the operators. Calls are not recorded against subscribers until effective communication has been established, and no charges are made if the distant subscribers are engaged, or fail to answer, or if their lines are out of order. Strict supervision is exercised over the recording work of operators. Whenever there is an account to render, it is rendered monthly; but as the annual subscription paid by message rate subscribers in London includes a minimum payment for 360 calls, it is only when that number is exceeded that an account becomes necessary in the case of exchange calls. In the case of deposits for trunk calls and telegrams, accounts of any charges are always rendered monthly. I have no reason to think that the present system of rendering accounts gives rise to dissatisfaction.

Peru Parcels Post.

MR. AGNEW (Salford, W.): I beg to ask the Postmaster-General why, considering that there are steamboat services from either Liverpool or Southampton to Peru, it is necessary for samples going by parcels post to Peru to be despatched *via* France or *via* Germany; and if he will take steps to remedy this condition of things.

MR. SYDNEY BUXTON: Postal parcels cannot be sent directly from one country to another in the absence of an agreement between the two national Post Offices; and it has not hitherto been possible to arrange for a direct parcel post between the United Kingdom and Peru. I am, however, in communication with the Peruvian Authorities on the subject.

Parcels Post to Columbia.

MR. AGNEW: I beg to ask the Postmaster-General if he will press for the resumption of the direct parcels post to the Western side of the Republic of Columbia.

MR. SYDNEY BUXTON: A direct parcels post to the Western Departments of the Republic of Colombia by way of Colon and Panama has now been arranged. The first despatch by this route was made from London yesterday.

Elementary Schools in Church Basements.

MR. J. WARD: I beg to ask the President of the Board of Education if he can state how many public elementary schools situated in the basements of places of religious worship and other buildings, and actually below the level of the contiguous streets, are now on the grant lists of the Board; and, if not, will he, through the inspectors of the Board, ascertain the number and names of such schools, with the names of the local education authorities in whose areas such schools are situated.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. BIRRELL, Bristol, N.): Though I have no knowledge of the number of schools situated as described in the Question, that number undoubtedly has steadily diminished; local education authorities during the last few years have greatly assisted the Board of Education in exercising continuous pressure in this direction. I am having the point specially investigated with a view to bringing to an end as soon as possible the use of all unsuitable schools of this kind.

School Space.

DR. MACNAMARA (Camberwell, N.): I beg to ask the President of the Board of Education if he can state the practice of the Board in the matter of the number of square feet of floor space to be allocated to each child in the planning of new schools, council and non-provided; whether it is the practice to permit existing council and non-provided schools to accommodate children on any other scale; if so, whether he will state that scale, and the extent to which it is now in operation; and if he will consider the desirableness, in the interests of the health and comfort of the children and of educational efficiency, to insist upon at least a ten square feet scale all round.

MR. BIRRELL: The aim of the Board of Education is to secure for each child in a public elementary school ten square feet of floor space. In the case of new schools or enlargements their practice now is always to insist on this; and as regards existing schools they endeavour to bring about the same state of things. But in exercising pressure to this end some regard has to be paid to the heavy burden that would be placed upon the rates by any sudden demand for so large an increase of school provision as would be entailed by a universal application of a ten feet scale, that burden being already in many places very severe. The scale recognised in former days, for Board schools and voluntary schools alike, was eight square feet for each child; and this no doubt obtains, so far as nominal accommodation is concerned, in a large number of schools, both council and voluntary. But, on the other hand, it must be remembered that very many schools, though calculated on the eight square feet basis, do in fact afford much more than eight square feet for each child, owing to the number of children attending them being much less than the nominal accommodation.

Mr. LUPTON (Lincolnshire, Sleaford): What is the effect of these overcrowded schools on the eyes and other organs of the children?

Mr. BIRRELL: I cannot say.

Mr. J. WARD: I beg to ask the President of the Board of Education whether, seeing that the regulations of the Board prescribe 16 square feet of floor space for secondary schools, he will order that the schools of the working classes shall be treated on similar hygienic lines.

Mr. BIRRELL: In addition to what I have said in reply to the Question by the hon. Member for Camberwell, N., on the same subject, I should like to say, in regard to the wording of the Question of the hon. Member for Stoke-on-Trent, that I must not be considered as holding, as would seem to be implied in the Question, that the secondary schools are not schools for the working classes; every possible step is being taken, while making these schools efficient, to bring them as much as possible within the reach of the working classes by scholarship systems, reduction of fees, and in other ways. The fact that a larger amount of floor space is required under the Board's Regulations for secondary schools than can be insisted on in respect of Public Elementary Schools is in part due to the fact that the provision of secondary schools is not a statutory obligation upon every authority in the same direct sense as in the case in regard to Public Elementary Schools. As regards the latter, any such requirement as 16 square feet per child would be impossible, however desirable in itself, seeing that it is a question of absolute obligation to provide accommodation for some 5,000,000 children.

Ladybower Navvy Settlement.

Mr. J. WARD: I beg to ask the President of the Board of Education whether his attention has been drawn to the establishment of a navvy settlement at Ladybower, Derbyshire, without any provision of school accommodation; whether he is aware that over thirty children, some of very tender years, are compelled to walk to Bamford, a distance of nearly three miles, to the nearest school; and what action, if any, he proposes to take in the matter.

Mr. BIRRELL: The Board of Education have received no information in regard to the matter referred to in the Question. The hon. Member will, I am sure, realise that difficulties of this kind cannot always be met with absolute promptitude when a sudden access of population in remote rural parts has to be provided for. I will have inquiry made and will see that the requisite steps are taken for dealing with any substantial need that exists.

School Punishment Book.

Dr. COOPER: I beg to ask the President of the Board of Education why it is that in this year's Code the punishment book has been omitted from the list of books (Schedule IV., Code 1906) required to be kept in every public elementary school.

Mr. BIRRELL: The omission referred to took place in the year 1905, consequent on the issue in that year, for the first time, of a new Blue-book, dealing with this and kindred matters, entitled "Suggestions for Teachers and Others concerned in the work of Public Elementary Schools," in which the question of corporal punishment was dealt with, as stated by me on the 31st October last,† more fully than is possible in the Code. I will, however, see that in next year's Code a punishment book is required for each public elementary school.

Payments for Meals.

Mr. HAROLD COX (Preston): I beg to ask the President of the Board of Education whether he is aware that the

---

† See (4) *Debates*, clxiii., 1116–7.

Education (Provision of Meals) Bill, as drafted by the Select Committee, would apparently enable a local education authority to demand payment more than once for the same meal; and whether he will introduce Amendments to obviate this possibility.

MR. BIRRELL: I think it is not a convenient practice to attempt to deal, by means of Question and Answer at Question time, with the details of a Bill before it is discussed in Committee of the Whole House, but I may say that I am not aware that the effect of the Education (Provision of Meals) Bill, as drafted by the Select Committee, is as stated in the Question.

In answer to a further question,

MR. BIRRELL said the local authority could make as many demands as it chose for the money until it was paid.

Sheep Disease Regulations.

*MR. REES (Montgomery Boroughs): I beg to ask the hon. Member for South Somersetshire, as representing the President of the Board of Agriculture, whether he is aware that thirty farmers of Montgomeryshire were recently prosecuted at Llanidloes for exposing sheep for sale without declaration of their having been dipped; that the defendants were unaware of the existence of the regulation they contravened, and were in many cases unacquainted with English; that the circulars were not printed and published in local newspapers or circulated in Welsh to those affected; that the Order is too long, intricate, and technical to be readily understood by others than lawyers; that the Llanidloes bench dismissed the charges on the ground that the law was broken without knowledge of its existence, and was not available in Welsh; that farmers in the Newtown district have been fined for breach of the aforesaid order; whether he will arrange that such regulations should be published in Welsh and English in all the newspapers of such an important sheep breeding area as Montgomery county and district; and whether he will take the necessary steps to remove the grievance now brought to notice.

SIR EDWARD STRACHEY (Somersetshire, S.): The Board are aware of the prosecutions to which my hon. friend refers, and of the circumstances to which he directs attention. The proceedings were taken at the instance of the local authority, with whom rests the duty of publishing the Orders of the Board. We are, of course, anxious that the fullest possible publicity should be given to those Orders, and we propose to communicate with the local authority on the subject. I shall be happy to acquaint my hon. friend with the result.

Rex *v.* Fowler.

VISCOUNT TURNOUR (Sussex, Horsham): I beg to ask Mr. Attorney-General whether he is yet in a position to state if it is proposed to institute proceedings for perjury against certain witnesses for the prosecution in Rex *v.* Fowler.

THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.) was understood to reply that the counsel for the Crown had advised there were no grounds for instituting a prosecution.

Imprisonment for Debt.

MR. MACLEAN: I beg to ask Mr. Attorney-General whether he is aware of the fact that within the last ten years 82,590 persons have suffered imprisonment for non-compliance with orders of the Court for monetary payments; and whether, in view of the consensus of opinion amongst experienced county court judges that the present system of debt collecting through the medium of the county courts has, specially of late years, conduced to the development of a pernicious system of credit and to the growth of firms whose main business is to tempt people of small means to borrow money at ruinous rates of interest or to purchase articles they cannot afford, he will consider the advisability of introducing legislation to abolish imprisonment for non-compliance with orders of the court for monetary payments, or, in the alternative, that no judgment summons should be issued or committal made for a less sum than 40s.

SIR JOHN WALTON: The Lord Chancellor has given the subject the most sympathetic consideration. He heartily approves of some Amendment of the law, and he is quite prepared, if occasion offers, to introduce legislation.

MR. BYLES (Salford, N.) asked whether the number of imprisonments for debt was not increasing, whether prisoners for debt were not treated as common malefactors, and whether the threat of imprisonment was not frequently used to extort money, not from the debtor, but from some relative or friend.

SIR JOHN WALTON: I quite agree that the evil is growing, and that the need of some change is increasing.

MR. MACLEAN inquired if the hon. and learned Gentleman's attention had been drawn to the remarks of Judge Rentoul on the subject of committals in his Court.

SIR JOHN WALTON: It is only one of many instances showing the great need for reform.

West Riding Appeal.

MR. COURTHOPE: I beg to ask Mr. Attorney-General what sums have been expended in connection with the appeal against the West Riding local education authority; and what further cost is anticipated in connection with the case.

SIR JOHN WALTON said he had communicated with the Solicitor to the Treasury. The appeal was at present in the most elementary stage. Some fees had been incurred in connection with the presentation of the petition in the case, but at present it was impossible to forecast what might be the total cost of the appeal, or how much of that might, under the judgment of the House of Lords, fall on the country.

Scottish Fishermen and the Whaling Stations.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the Secretary for Scotland whether, in view of the general consensus of opinion among fishermen as to the harm caused to their industry by the whaling stations in Scotland, he will take the necessary steps to abate the grievance.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): I propose to consider the introduction next session of a Bill dealing with this subject, based upon the report of the Departmental Committee on whaling and whale-curing, Command Paper 2138 of 1904.

Punishment for Illegal Trawling.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Secretary for Scotland whether, in view of the damage done by trawlers destroying fishing grounds within the three-mile limit and the expense and difficulty of obtaining convictions, he will prohibit the sale of nets, that may have been forfeited as part of the punishment, at distant places where the offenders can buy their nets back practically without competition.

MR. SINCLAIR: There are practical difficulties in the way of removal of nets, but I am in communication with the Fishery Board on the subject of the hon. Member's Question.

Scottish Congested Districts Board and Crofter Settlements.

MR. WEIR (Ross and Cromarty): I beg to ask the Secretary for Scotland if he will state the names of the officers employed by the Congested Districts Board to prepare the plans and specifications for new crofter settlements which have been formed by the Board?

I beg also to ask the Secretary for Scotland if he will state the names of the officers employed by the Congested Districts Board to value the land for new crofter settlements which have been formed by the Board?

MR. SINCLAIR: The responsibility lies with the Board, and I am not prepared to give the names of officers who have been employed in carrying out their instructions.

MR. WEIR: Do they include any of the permanent officials of the Board?

MR. SINCLAIR: I think not.

MR. WEIR: I can give the names. I am not going to be defeated by the right hon. Gentleman.

Trawlers in the Minch.

MR. WEIR: I beg to ask the Secretary for Scotland, in view of the depredations made by illegal trawlers off the coast of the Island of Lewis, and the western mainland, will he, in the interest of the line fishing industry, take such steps as may be necessary to secure the closing of the Minch against trawlers?

MR. SINCLAIR: There is no statutory authority to close the Minch against trawlers without the consent of other Powers, and I am not prepared to take steps in the direction desired by the hon. Member.

MR. WEIR: Is the right hon. Gentleman acquainted with the Convention of 1881? If he examines it he will see it refers to the east coast and not the west coast.

MR. SINCLAIR: I shall be glad to inquire into the point.

Scottish Line Fishing Industry.

MR. WEIR: I beg to ask the Secretary for Scotland, having regard to the fact that the quantity of line-caught fish landed in Scotland during the year 1905 was 50 per cent. less than ten years ago, and that this decline is attributable to the fishing beds being injured through illegal trawling, will he state when he expects to be able to provide the Fishery Board with another cruiser for sea police service.

MR. SINCLAIR: The quantity of line-caught fish in Scotland has declined by the transfer of the white fishing to trawling, which is a more productive and effective method of fishing, and upon the whole there has been an increase and not a decrease of the white fishing in Scotland. The Fishery Board hope to be in a position to procure a new cruiser shortly from the accumulated savings of the grant for marine superintendence.

Trawling in Durness Bay.

MR. MORTON (Sutherland): I beg to ask the Secretary for Scotland why no proceedings were taken against the three trawlers which were engaged in trawling within the three-mile limit on Sunday, the 9th day of September, in Durness Bay, Sutherland.

MR. SINCLAIR: No complaints of trawling in Durness Bay on 9th September have been received, but I shall be glad to receive any information on the subject from the hon. Member.

Disease in the Lews.

MR. WEIR: I beg to ask the Secretary for Scotland whether he is aware that the chief medical officer of health for the island of Lewis, in commenting on the condition of the island, refers to the steady increase of consumption among the population as compared with its decrease in the country generally, and states that typhoid and typhus are endemic in the Lews, and that the island may well be the focus of many a distant outbreak of this latter fever; and will he state what action he proposes to take to meet these unsatisfactory conditions.

MR. SINCLAIR: The exact words of my hon. friend's Question cannot be traced, but, as he knows, I am aware of the high death rate and the existence of the disease to which he refers in the Lews. These matters are under serious consideration.

MR. WEIR: I will take the opportunity to furnish the right hon. Gentleman with further information.

Orkney Cottar's Grievance.

MR. CATHCART WASON: I beg to ask the Secretary for Scotland if his attention has been called to a case in Orkney where a cottar, on a verbal agreement that he would receive consideration for his improvements if his lease was not renewed, on the good faith of such agreement built a dwelling-house, drained and improved the land, is now warned out, forfeits his house, all his improvements, his life's work; and whether, in view of such treatment, he will consider the advisability of making the Small Landowners' Bill have retrospective effect from the day of its First Reading.

MR. SINCLAIR: The facts presented by my hon. friend certainly seem to constitute a hard case; but not, I think, such a case as would justify the consideration of the proposal he puts forward.

Small Landholders (Scotland) Bill.

Mr. WEIR: I beg to ask the Secretary for Scotland, in view of the fact that the Small Landholders (Scotland) Bill will meet the pressing grievances of 20,389 occupiers of agricultural holdings in the Highland crofting counties whose rentals do not exceed £30, and of 1,100 occupiers of agricultural holdings in those counties whose rentals are above £30 and do not exceed £50, will he state when he proposes to proceed with the Bill.

Mr. SINCLAIR: The Prime Minister authorises me to say that he hopes to give the House an opportunity of reading this Bill a second time on an early day.

Mr. WEIR: May I ask if the right hon. Gentleman intends to proceed with the Bill this session?

Mr. SINCLAIR: We will deal with each stage as it comes.

Lord BALCARRES (Lancashire, Chorley): May I ask the right hon. Gentleman if we shall have the promised information from the committees† referred to yesterday before we have to discuss the Second Reading of this Bill?

Mr. SINCLAIR: I doubt it.

The Scottish Fishery Cruisers.

Mr. MORTON: I beg to ask the Secretary for Scotland whether he will make arrangements to allow Members of this House who represent seaboard constituencies in the North of Scotland an opportunity of accompanying the fishery cruisers whilst engaged in protecting the line fishing industry from the depredations of trawlers.

Mr. SINCLAIR: No, Sir, I am unable to give any such undertaking.

Irish Evicted Tenants.

Mr. LONSDALE (Armagh, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state approximately the number of *bona fide* evicted tenants who are eligible for reinstatement, and the probable cost of their reinstatement.

The CHIEF SECRETARY for IRELAND (Mr. Bryce, Aberdeen, S.). The Estates Commissioners inform me that, until they have inquired into the claims and circumstances of all the persons who have applied for reinstatement as evicted tenants, it would be impossible for them to say how many of the applicants are eligible for reinstatement, or to estimate the cost of reinstating those whose restoration can be effected.

Mr. LONSDALE: Will the right hon. Gentleman make inquiry as to whether there are any funds available in the hands of the Nationalist Party for wounded soldiers in the land war?

Mr. DELANY (Queen's County, Ossory): Why don't you subscribe?

Mr. GINNELL (Westmeath, N.): Is the right hon. Gentleman aware that most of those technically outside the statute are really *bona fide* evicted tenants?

Mr. BRYCE: The cases are governed by statute.

Mr. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, when pleading for a further six months' trial of the policy which has failed during three years to get untenanted lands for distribution, he had considered the fact that the number in need of the land will in that time be decimated by death and emigration; and will he reconsider this matter with a view to asking Parliament now for compulsory powers to purchase.

Mr. BRYCE: I have nothing to add to the statements upon the subject of untenanted land and the need for acquiring it which I made in debate on Monday, 29th October†.

Mr. Pakenham's Westmeath Estates

Mr. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that on the 20th July last the Estates Commissioners undertook to inquire if the Hon. Mr. Pakenham would sell his Cooksborough and Macetown ranches, in Westmeath, for distribution; that Mr. Pakenham's agent has since publicly announced the owner's willingness to sell those ranches; and will he state what it is in these circumstances prevents the purchase and distribution of those ranches before a letting is made of them for next year.

---

† Select Committees on Rural Housing and Small Holdings.

† See (4) *Debates*, clxiii., 805 *et seq.*

MR. BRYCE: The Estates Commissioners inform me that they have inquired from Mr. Pakenham whether he is prepared to sell his untenanted land in County Westmeath, but up to the present he has not stated whether he is willing to do so. The Commissioners are about to address a further communication to him on the subject.

Magan Estate, Westmeath.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland have the present owners of the Magan Estate, in Westmeath, consented to sell their untenanted lands to the Estates Commissioners for distribution; if so, what causes the delay in acquiring those lands; and whether there is a prospect of early distribution seeing that those lands are now advertised to be let for eleven months more.

MR. BRYCE: The Estates Commissioners inform me that they have agreed to a preliminary inspection of the lands of Ardillon and Catherinestown, which are understood to be the property referred to in the Question. The case was referred to an inspector on 16th October, and as soon as the report of his inspection has been received and considered by the Commissioners, the owners will be informed of the estimated price in order that, if they accept, the necessary documents may be prepared and lodged.

Colonel Malone's Baronstown Estate.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state why the official inspector of Colonel Malone's Baronstown estate did not afford the victims of congestion on and around that estate any opportunity of making representations to him on the ground; did he report the existence of acute congestion there; if so, why did the Estates Commissioners, instead of trying to relieve that congestion, propose to facilitate the sale of three large grass farms on that estate to graziers who have no statutory right to purchase under the Land Act of 1903, and who have other grass farms besides these; and will the Commissioners, in exercise of their statutory discretion, refuse the advance of public money in respect of this estate until these grass farms are included for distribution in the sale.

MR. BRYCE: The Estates Commissioners inform me that their inspector reported fully on the estate mentioned in the Question. He did not report the existence of acute congestion in the neighbourhood, nor did he hold any special meeting for the purpose of receiving representations from persons on and around the estate. All the representations which have been made to the Commissioners have been fully considered by the Commissioners themselves. Two large grass farms held by one tenant have been excluded from the sale, and in the case of another large farm the Commissioners have refused to sanction more than the limited advance of £3,000. The Commissioners conceive that the hon. Member is under a misapprehension in supposing that graziers have no statutory right to purchase under the Act of 1903. The grass farms on Colonel Malone's estate are held under leases or by yearly tenants, and the Commissioners have no power to compel farms so held to be sold to them as untenanted land. As a matter of fact, there is no untenanted land on the estate.

Administration of the Arms Act in Ireland.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the district inspector of Kenmare has received a letter from Mr. Thomas M'Carthy reporting the illegal conduct of a gamekeeper, named Hogan, in firing a shot from the public road; and whether it is the intention of the district inspector to institute a prosecution immediately, in view of the fact that Mr. M'Carthy has expressed his willingness to verify on oath the statement contained in his letter.

MR. BRYCE: The reply to both parts of the Question is in the affirmative.

Neptune Blood Estate, Clare.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state what is the delay in the sale of the Neptune Blood estate, county Clare.

MR BRYCE: The Estates Commissioners inform me that there has been no undue delay in this case. The documents were lodged in June last, and an inspection of the estate has since been directed. As soon as the inspector's report has been received and considered the Commissioners will be in a position to make an offer to the Land Judge for the purchase of the estate.

Moohane Evicted Tenant.

MR. LUNDON (Limerick, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say what progress has been made in the restoration of Michael Power to his evicted farm on the Croker property in Moohane, Herbertstown, county Limerick; have the Estates Commissioners taken any steps to remove the planter Kirby; and, if so, with what results.

MR. BRYCE: The Estates Commissioners inform me that they have had an inspection made of the untenanted land on the Courtenay Croker estate, but have not yet considered the inspector's report. If the Commissioners should purchase the property, they will endeavour either to restore Power to his former holding or to provide him with a new holding on the untenanted land.

MR. LUNDON: He will not take a new holding; he wants the old one.

Queen's County Evicted Tenants.

MR. DELANY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that an agreement to purchase has been signed by a planter named Fawcett on the Landes estate, Garrymore, near Mountmellick, Queen's County; whether Fawcett occupies the holding from which William Malone and John Geoghegan were evicted in 1889; and can he say if the Estates Commissioners are prepared to make an advance to Fawcett pending the settlement of the claims of Malone's representative and Geoghegan.

MR. BRYCE: The Estates Commissioners inform me that Fawcett, the occupying tenant, has signed an agreement for the purchase of the holding referred to. The Commissioners understand that this holding was formerly occupied by William Malone, and they have received a claim for reinstatement from Peter Malone as his representative; but as the latter is reported to hold 70 acres of land, the Commissioners have decided that the case is not one which calls for their intervention. John Geoghegan, who was a herd employed by William Malone, was never a tenant of the farm. The Commissioners will consider Geoghegan's application for a holding, in the event of their acquiring untenanted land in the neighbourhood.

Pocklington Estate, Clare.

MR. WILLIAM REDMOND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what is the cause of the delay in advancing the purchase money for the sale of the Pocklington estate in county Clare.

MR. BRYCE: I am informed by the Land Commission that the advances in this case were made on the 11th of last month.

East Clare Land Appeals.

MR. WILLIAM REDMOND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland how many Land Commission appeal cases are waiting decision in East Clare; and if something can be done to expedite matters in view of the loss and inconvenience caused by the delay in giving judgments.

MR. BRYCE: The Land Commission inform me that in 104 cases of fair rent appeals heard at the last sitting in Clare judgment has not yet been given, owing to the fact that the assessors have not yet completed their reports. It is expected, however, that these reports will be received in a few days, and that the decision will be announced during the present sittings.

Royal College of Science, Dublin.

MR. WILLIAM REDMOND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that it is proposed to build the Royal College of Science in Dublin of stone imported from England; and, if so, whether he will arrange to have the stone from Clare, Donegal, and other portions of Ireland, used in this new public building in order to help industry in Ireland.

THE FINANCIAL SECRETARY OF THE TREASURY (Mr. MCKENNA, Monmouthshire, N.): I am informed that the brick and stone now being used in the construction of the lower storey of the new Royal College of Science, Dublin, are exclusively of Irish production. The designs and specification for the remainder of the building are not yet complete, but as I stated in reply to a Question of the hon. Member for Cork of the 2nd April last,[†] the architects of the building have made a special study of Irish building materials, and have come to the conclusion that, subject to prices being satisfactory, large quantities of them can be used in the building. The experience since gained in the construction of the lower storey justifies, I believe, the anticipation that, subject to satisfactory prices and delivery, large quantities of Irish brick and stone will be used in the superstructure.

MR. MOONEY (Newry): Was it not in the case of this building that the Government selected an English architect on the ground that there was no Irish architect able to fill the post, and has he not put up schools which contain no provision whatever for technical education?

MR. MCKENNA asked for notice of the Question.

MR. WILLIAM REDMOND: Are we to understand that subject to the prices and deliveries being equally good Irish stone and not English stone will be used?

MR. MCKENNA: Certainly; but Irish stone cannot be exclusively used. In the lower parts Irish stone and brick is exclusively used; in the upper stories it is used as far as possible, but there is a particular kind of stone used there which is not obtainable in Ireland.

MR. JOYCE (Limerick): It wants a good foundation at any rate.

Vice-Presidency of the Irish Board of Agriculture.

MR. MOONEY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if any definite decision has yet been arrived at as to the appointment of a Vice-President of the Board of Agriculture and Technical Instruction, Ireland: if not, how long it is proposed to continue the present occupant in the position.

MR. BRYCE: No decision has yet been arrived at. The whole question of the constitution and working of the Department of Agriculture and Technical Instruction is at present under the consideration of a Committee of Inquiry.

Bann Drainage.

MR. CHARLES CRAIG (Antrim, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland when he will be in a position to make a statement as to the intentions of the Government with reference to providing a remedy to the flooding of Lough Neagh and the River Bann.

MR. BRYCE: The Government are pursuing their inquiries in this matter, and a valuation is at present being made of the lands which would be beneficially affected by the adoption of Sir Alexander Binnie's drainage scheme, various aspects of which are being examined. I am not yet in a position to make a more definite announcement on the subject.

Lough Neagh Fisheries.

MR. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, considering the unsatisfactory state of the control and supervision of the Lough Neagh fisheries and in view of the divergent interests of fishermen in different parts of the lough, he will consider the desirability of appointing an expert Commission to investigate the matter, and to advise as to the best methods of regulating the fisheries.

MR. BRYCE: In the opinion of the Department of Agriculture no necessity exists for the appointment of a Commission as suggested. Speaking generally, the divergent interests of the Lough Neagh fisherman are represented on the Board of Conservators for the district of

---

[†] See (4) *Debates*, clv., 156.

Coleraine, who are partly elected and partly *ex-officio*. The Board are well qualified to suggest any regulations that may be necessary to harmonise the different interests, so far as may be possible, and the Department of Agriculture are ready to give consideration to any suggestions coming from the Board, and to render all assistance in their power. Investigations into the fisheries of Lough Neagh have been made from time to time by the Department and their predecessors, with the result that an extensive series of by-laws is in operation.

Galway Election Disturbances.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he received any complaints as to the behaviour of police officers at Galway during the recent election; if so, whether he has taken any steps to investigate the truth of these complaints; and whether there was in fact any foundation for them.

MR. BRYCE: I received a complaint on Thursday last regarding the action of the police at the Galway Election. It often happens, and must almost inevitably happen, that those who are in the middle of an excited crowd where there is some disorder receive impressions different from those received by other persons, and which subsequent inquiry shows not to have been well founded. I am satisfied on a review of the facts which have come to my knowledge that the police behaved with firmness and without either partisanship or any more severity than was required under the circumstances; and I do not see any necessity for any further investigation.

MR. LONSDALE: Did not the right hon. Gentleman receive a telegram from the hon. Member for East Mayo asserting that the police behaved disgracefully?

MR. BRYCE: I did receive a telegram. I have not the words of it here.

MR. JOHN REDMOND (Waterford): Is the right hon. Gentleman's Answer to the Question founded on reports received from the incriminated parties—the police?

MR. BRYCE: Not solely. Facts and circumstances have come to my knowledge from various sources.

MR. JOHN REDMOND: Inasmuch as there is a conflict of testimony between the hon. Member for East Mayo, who was on the spot and saw what took place, and the police authorities, who are the incriminated persons, will the right hon. Gentleman consider the advisability of having a sworn inquiry?

MR. BRYCE: I do not think a sworn inquiry into what occurred during the heat of an election, when people were too excited to make proper observations, would serve any useful purpose.

MR. T. L. CORBETT (Down, N.): Is the right hon. Gentleman assured that adequate protection was afforded to the hon. Member for East Mayo against Nationalist violence?

MR. BRYCE: I do not believe violence of any kind was offered to that hon. Member. No imputation of that kind has been made by him.

Killarney Quarter Sessions—Claims for Malicious Injury.

MR. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that out of six claims for malicious injuries heard at the Killarney Quarter Sessions in October last, three of them were for injuries inflicted on animals, that in two of these cases the animals had died from the effect of the injuries inflicted, and that compensation was awarded in each case; and whether the police have made any arrests in connection with them.

MR. BRYCE: I am informed by the police authorities that the facts are as stated in the Question. The police have not yet succeeded in obtaining evidence which would justify them in making any arrests.

MR. MURPHY (Kerry, E.): Is it not the fact that these claims have arisen out of personal quarrels, and that the district is so well conducted that the Recorder invariably receives a pair of white gloves?

MR. BRYCE: I have no information as to the causes out of which the cases have arisen.

Irish Land Purchase.

MR. GINNELL: I beg to ask the Prime Minister if his attention has been called to the Report of the Estates Commissioners for the period ending 31st March, 1906, pages vii, viii, xiii, and xiv, in which the apprehensions expressed by himself on 4th May, 1903, are fully realised; and whether in view of the danger of the continued payment of prices grossly in excess of value, he will at an early date give facilities for the restoration of inspection for value, and of value as a measure of price, as under former Purchase Acts.

SIR H. CAMPBELL-BANNERMAN: Yes, Sir, I am aware of the passages in the Estates Commissioners Report to which the hon. Member calls my attention. In answer to the latter part of his Question, I would refer him to an Answer given by my right hon. friend the Chief Secretary on 25th June last, in which he stated that the Government were carefully watching the operations of the Land Purchase Acts with the object of deciding whether amending legislation might be desirable. I have nothing to add to that statement.

Price of Irish Land.

MR. GINNELL: I beg to ask the Secretary to the Treasury if the attention of the Treasury has been directed to the Report of the Estates Commissioners for the period ending 31st March, 1906, pages vii, viii, xiii, and xiv, according to which, owing to the abolition of official inspection for value, an owner now obtains from public funds, under the name of price £168 10s. and under the name of bonus £20 4s., being a total of £188 14s., for land for which under previous Purchase Acts, subject to official inspection, no more than £100 would have been paid; is the Treasury aware that, owing to the absence of freedom of contract between landlord and tenant in Ireland, similar waste of money under previous Purchase Acts was prevented only by official inspection; has the Treasury estimated how much more money will be required, in addition to that provided by the Act of 1903, for the transfer of ownership in Irish land if waste is allowed to continue at the present rate; and can he state any other reason for the indifference of the Treasury to the prospect of a general repudiation of land annuities than the knowledge that Irish resources are primarily liable for default in the payments.

MR. McKENNA: I am informed that the increase of price of 68½ per cent. mentioned in the Estates Commissioners' Report was inclusive of bonus and not exclusive of it as stated by the hon. Member. It is the general policy of the Act which is involved in the Question, and I do not consider that this can conveniently be discussed by Question and Answer across the floor of the House. There is no ground for the insinuation in the last part of the Question.

Ireland and Stationery Office Contracts.

MR. SLOAN (Belfast, S.): I beg to ask the Secretary to the Treasury whether in view of the large sums necessary for the carriage of samples to London by Irish firms estimating for the work of His Majesty's Stationery Office, he will consider the advisability of meeting such costs and thus enable Irish contractors to compete on equal terms with those in London.

MR. McKENNA: I am informed that the only instances which can be found of Irish firms being requested to forward samples to the Stationery Office, are certain infrequent cases in which paper manufacturers have been invited to send up a single sheet of their special manufacture at a cost for carriage I suppose of one penny or even less. In these circumstances there does not seem to be a sufficient reason for adopting the hon. Member's suggestion.

MR. SLOAN: I will send the hon. Gentleman particulars of a case in which £50 was paid for carriage on a £1,000 contract?

MR. McKENNA: I shall be glad to have them.

Abbeyfeale Fair.

MR. O'SHAUGHNESSY (Limerick, W.): I beg to ask the President of the Board of Trade whether his attention has been called to the fact that the Great Southern and Western Railway

Company do not on fair and market days at Abbeyfeale, in the county of Limerick, provide sufficient accommodation for the loading of cattle and pigs by their not having a sufficient number of waggons at the station and thus cause injury to the fairs and markets there; and whether he will make inquiries into the matter with the view to remedying the grievance.

MR. KEARLEY: My right hon. friend received from the hon. Member a complaint of an insufficient supply of waggons on the occasion of a fair at Abbeyfeale in August last, and communicated with the Great Southern and Western Railway Company thereon. The Company furnished an explanation, of which a copy was forwarded to the hon. Member on the 22nd September. As he gathers that there has been further cause for complaint he will again call the Company's attention to the matter.

BUSINESS OF THE HOUSE.

MR. SHACKLETON (Lancashire, Clitheroe) asked when the Prime Minister proposed to take the Third Reading of the Trade Disputes Bill.

SIR H. CAMPBELL-BANNERMAN said that according to present intentions the Third Reading of the Trade Disputes Bill would be taken on Friday next.

TRADE DISPUTES BILL.

As Amended, on consideration, to be printed. [Bill 349.]

PUBLIC ACCOUNTS COMMITTEE.

Third Report, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 343.]

WOMEN'S ENFRANCHISEMENT.

MR. KEIR HARDIE (Merthyr Tydvil), in asking leave to bring in a Bill to remove the sex disqualification which debars a woman from being enrolled as an elector or from voting at Parliamentary elections, said he had two objects in view. The first was the removal of the sex disqualification, and the second was to ascertain whether the Government had any statement to make on the subject supplementary to that made by the Prime Minister in reply to the deputation that waited on him on 9th May. On that occasion the right hon. Gentleman spoke with considerable sympathy towards the measure, but he held out no hope of the Bill being dealt with in the present Parliament. As the result of that reply there had been agitation outside which had ended in a number of women being sent to prison. In the present Parliament there were 420 Members who were pledged to vote for the political enfranchisement of women, and in view of that fact and the refusal of the Government to deal with the question during the life of the present Parliament, there had been agitation as a protest against the fact that 420 Members of the House were unable to move the Government. If hope could be held out that the question would be dealt with by the present Government that would go far to allay the agitation which was being pursued so vigorously by methods which were so apt to be condemned. He hoped it would be possible to have some statement to pledge the Government to the enfranchisement of women.

SIR H. CAMPBELL-BANNERMAN: I do not wish to stand in the way of any hon. Member who wishes to speak, but I desire to say that if I was right in catching from the hon. Member an assertion on his part that the Government have declared that they will not deal with this question during the present Parliament, I can assure him he was entirely mistaken. No such statement has been made.

MR. KEIR HARDIE: That was the interpretation put upon the statement.

SIR H. CAMPBELL-BANNERMAN: The statement was of the shortest and simplest character. It was that there would be no opportunity during this session of dealing with the question.

Motion made, and Question proposed, "That leave be granted to bring in a Bill to remove the sex disqualification which debars a woman from being enrolled as an elector or from voting at Parliamentary elections."

Question put, and agreed to.

Bill ordered to be brought in by Mr. Keir Hardie, Sir William Bull, Mr. Enoch Edwards, Mr. Arthur Henderson, Mr. Leif Jones, Mr. Hugh Law, Mr. Nannetti, Sir John Randles, Mr. Snowden, and Mr. Thomasson.

WOMEN'S ENFRANCHISEMENT BILL.

"To remove the sex disqualification which debars a woman from being enrolled as an elector or from voting at Parliamentary Elections," presented accordingly and read the first time; to be read a a second time upon Wednesday next, and to be printed. [Bill 350.]

LAND TENURE BILL.

Order read, for resuming Adjourned Debate on Amendment proposed [6th November] on Consideration of the Bill, as amended (by the Standing Committee):—

Which Amendment was—

"In page 2, line 5, after the word 'tenant,' to insert the words 'under any contract of tenancy made after the passing of this Act.'"—(*Mr. Mitchell-Thomson.*)

Question again proposed, "That those words be there inserted in the Bill."

MR. BRIDGEMAN (Shropshire, Oswestry) said it had been stated by the mover of the Amendment that leases in Scotland were granted for nineteen or twenty-one years, and that they contained a clause which took into consideration any damage which might be done by game and made a reduction in the rent accordingly. He was anxious to know whether such an agreement would be void under the section, and suggested that some words should be inserted to protect a landlord who had thus already taken into account damage done by game.

MR. WILLIAM RUTHERFORD (Liverpool, West Derby) said this Amendment would have the effect of simply applying the section to tenancies which were created after the commencement of the Act, and it would leave existing tenancies to be worked out on the terms which the landlord and tenant had deliberately and solemnly agreed upon. The Amendment would therefore make a very satisfactory, proper, and just provision. The principle of that proposal had been sanctioned over and over again by this House, and it had been introduced into Act after Act. Persons who were *compos mentis* and free agents, and who entered into contracts without fraud or concealment, had their rights saved when an Act was passed altering the law applicable to the contracts. In support of this contention he instanced what was done recently when the duty was put on sugar. It was expressly provided that all contracts then existing should be construed on the basis of that duty being put on, and that in the case of an existing contract the amount of the duty should be added to the price. He desired to call the attention of the House to the effect which this clause would have on an existing contract between landlord and tenant. Every existing tenancy in this country was a tenancy, and being "part performed," according to the well-known principles of law, it could not be put an end to or rescinded. In every case, whether the contract had been made by written agreement or verbally it was a contract for the occupation of land, and the payment of rent. Both landlord and tenant, when the contract was entered into, were acquainted with all the facts applicable to the pieces of land included in the transaction. They knew how many acres were good soil, how many were indifferent, and how many were poor, and they knew also what quantity of game was ordinarily on the land, and they were both acquainted with the amount of damage that might reasonably be expected to be incurred in consequence of the presence of that game. All these were matters of common knowledge when the parties entered into the contract, and they were taken into account in fixing the terms and arriving at the amount of the rent. The amount of damage that might be done by game was as much present to the minds of the landlord and tenant as the possibility of flooding or anything of that sort which could interfere with the value of the land. There was the further point that an existing contract was part performed. The law had always drawn a distinction between a contract that had been "part performed" and one that had not, and therefore it was impossible to restore the parties to the position of the *status* *quo.* Under these circumstances it appeared to him that they were discussing a matter of very grave principle. When a contract had been entered into by two persons without fraud or concealment it was inequitable and unjust that any Act should be passed which altered or affected the basis of that bargain. The Government now stepped in and altered all those bargains which no law or equity would touch. Nobody except a Radical Government giving away other people's money and attempting to curry favour at the expense of a class, and that class largely consisting of their opponents, would make such a proposal. It was a spectacle which was not only dishonest in itself but grossly inequitable. In fact, it might be described as nothing short of robbery, and it was rendered all the worse by the political bias which was evidently behind it.

*MR. HAROLD COX (Preston) protested against the view which underlay a number of the speeches on the other side that the question of game preserving was only a question between landlord and tenant. He contended that it was a question in which the nation as a whole had an interest. If it were only a question between landlord and tenant it would follow that the relatively few persons owning and occupying the agricultural land of the country would be able to reduce the whole of the country to one vast game preserve. That seemed to be the logical conclusion, and against that he believed every man in the House, including the Leader of the Opposition, would protest. With regard to existing contracts, he felt as strongly as any Member of the House that the whole basis of our civilisation rested on the observance of contract. But the particular contracts to which this Bill referred were of an extremely vague character. They were contracts under which, taking them at their best, the tenant accepted the obligation to pay a lower rent because he knew that some game would be preserved. But he did not know how much game would be preserved or how much damage would be done to his property. In view of the absolute vagueness of the bargain, the same sanctity did not attach to it as to a definite contract, and he contended that Parliament had a right to take, and was justified in the interest of the nation in taking, measures which would limit what must be regarded as a public nuisance—the over-preservation of game. In the greater part of this island the population was too crowded to allow of private individuals indulging in the luxury of game preserving. It was all very well in the Highlands of Scotland and on the moors of Yorkshire where the land could not be cultivated at a profit, but he held that it was in the public interest that the land should be cultivated where that was possible. His objection to the clause was that it did not go far enough to put a stop to the evil of the over-preserving of game. Everybody had a certain amount of sympathy with legitimate sport, but most Members would agree that there was no real sport in driving a large number of birds which had been reared in captivity before a number of guns. There was considerably more sport to be found in the amusement in which the Leader of the Opposition was said to indulge, of pursuing a ball which he had himself propelled with a somewhat vague forecast of where it would fall. He was quite sure that hon. Members on both sides of the House, when they thought over the matter, would say that there was no real sport, and no real national object to be gained by segregating from purposes of cultivation large tracts of land in order that birds bred in captivity might be slaughtered by the thousand.

CAPTAIN CRAIG (Down, E.) asked whether the Government had contemplated a difficulty that might arise from the operation of this clause in Ireland. The position of tenants in Ireland was different from that of tenants in England. He was entirely in accord with the argument that compensation should be granted for damage done by game; but in Ireland the sale of their holdings had been made to many tenants under the conditions of the Irish Land Act, and the British Government stood for sixty-eight and a half years in the position of landlord. Had the Government faced the problem of the amount to be paid as compensation for damage done by game during that period? Were the Treasury prepared to meet the cost involved under Clause 2 so that Ireland should not suffer and that the Development Grant which should be devoted to education should not be trenched upon? He hoped that the hon. Gentleman would make this point quite clear.

MR. STANLEY WILSON (Yorkshire' E.R., Holderness) said that the hon· Member for Preston had insisted that he only wished to safeguard existing contracts; but he had contradicted himself in the latter portion of his speech. To do away with existing contracts was not only unjust but un-English. His hon. friend and his supporters did not bring forward this Amendment only for the benefit of the landlords, but equally for the benefit of the tenants. That was shown by the speech of the hon. Member for Ayrshire the previous evening, and in other speeches made that afternoon; and the case which they had made out had not been answered by the Government. In the case of a landlord who reduced his rent on account of the game which he reared, either by agreement or by lease, was that agreement no longer to stand good? Or was the landlord also, under this clause, to pay compensation for damage done by the game? Of course, if the farm was let under a yearly contract, the landlord would, at the end of the year, largely increase the rent on his tenant. Therefore, that the cordial relations which existed in Yorkshire and elsewhere between landlord and tenant must be inevitably destroyed unless the Government accepted some such Amendment as this. He could not understand the attitude of the Government in regard to the Amendment. It was a most reasonable proposal. From the attitude which the Government had adopted, he supposed their policy was going to be to refuse to accept all Amendments proposed from the Conservative Benches. Perhaps they would refuse also to accept Amendments from their own side. It was well known that there were many hon. Members on the Government side of the House who were very discontented with the Bill as it stood at the present time. It was only a day or two ago that an hon. Member on that side had said to him when he heard the Bill was coming forward, "Thank God there is a House of Lords." [MINISTERIAL cries of "Name."]

MR. J. WARD (Stoke-on-Trent): He ought to be placed in the British Museum.

MR. STANLEY WILSON said that he trusted the Government would reconsider their determination with regard to the Amendment, with which he could not help thinking everybody who had gone into the matter would agree.

*MR. HERBERT (Buckinghamshire, Wycombe) said that as he understood the argument of hon. Members opposite, the liability to damage by game was one of the matters taken into consideration by landlords and tenants in fixing the rent of a holding—whether the rent was fixed by competition or in any other way—and thereafter they went on to say that if damage was caused by game that damage was compensated for by the reduced rent paid. Then they went further and argued that unless this Amendment were accepted the tenant would get compensation twice over. He wanted to show that that was not the right view. He thought it would be admitted that the present method of estimating the amount of damage caused by game was mere rule of thumb, and could not be applied with certainty. It could only apply to the circumstances existing at the time of the agreement. He instanced the case of an ordinary country gentleman who was in the habit of rearing 1,000 pheasants on his estate: if he went abroad and let his estate to a South African millionaire, who at once proceeded to breed 10,000 pheasants, it was perfectly obvious that the compensation in rent could not be equal to the loss that would be sustained by the tenant from 10,000 pheasants as against 1,000; and therefore the tenant under those circumstances would suffer an injustice. The object of this Bill was that instead of that rough-and-ready method of estimating the damage done by game, there should be substituted a system by which the damage done in each case should be paid for.

Lord R. CECIL (Marylebone, E.) asked if the hon. Gentleman contemplated that under this Bill there would be a fresh arrangement as to rent and that then compensation for damage by game should be paid?

*Mr. HERBERT: Yes, whenever there was a new arrangement. The noble Lord would notice that the amount of compensation to be paid was to be fixed by agreement or by arbitration. In the case he had suggested, where the head of pheasants reared on an estate had been increased from 1,000 to 10,000, the arbitrator would say that the amount of damage which would be done by 1,000 was so much, and that the amount of damage which would be done by 10,000 would be so much, and the compensation he would award would be the difference between the damage done by 1,000 and that done by 10,000.

Mr. A. J. BALFOUR (City of London) said he was sure that the House must be obliged to the hon. Member for Wycombe for coming to the rescue of the Government. But he thought that this Amendment ought to be looked at on grounds quite irrespective of their views in regard to land tenure or compensation for damage done by game. The question involved was much wider and much more important than anything which merely affected the interests of landlord and tenant. He thought, with the hon. Member for Preston, that the Bill as it now stood went to the very root of our civilisation. He admired the accuracy and the precision with which the hon. Member for Wycombe had stated the arguments against the clause under discussion. Nothing could have been more fair or accurate. What was the hon. Member's defence? His defence of the Bill was this. He said, and it was quite true, that they could imagine a case in which in the course of a lease a tenant who had contemplated that there would be a certain amount of game on his farm would come to the Courts, if this proposal were carried, to say he wanted compensation, because although when he made his lease he knew perfectly well that there was going to be game there had been a great increase of it during the tenancy and since he made his lease. He might therefore claim that he was entitled to some compensation for what was in substance a violation of the original contract under which he took the lease. The defence of the hon. Member would be plausible if the clause were moulded in an entirely different way. But it said—

> "Where the tenant has sustained any damage from game,"

and not, as the hon. Gentleman supposed—

> "Where any tenant has sustained damage that is not arranged for in the terms of the tenancy."

The two propositions were quite different, and he hoped the Government would give effect to that put forward by their courageous advocate in his innocence or charity. The view of the hon. Member for Preston was that game preserving was inherently antagonistic to the public interest and ought to be stopped. He believed that view to be erroneous, though it had nothing to do with the question of contract. He had no prejudices in favour of game preserving. It was a quarter of a century since he had handled a gun; and his leisure hours were, in his opinion, better spent in other forms of amusement. But it was not sustainable in argument that the general interests of the food consumer were injured by the practice of game preserving. Putting all questions of class amusements on one side, he believed that an impartial inquiry would show that game preserving, far from rendering the food of the people dearer, rendered it cheaper, because it induced wealthy persons, for their own amusement, to provide a great deal of food at less than cost price. As a matter of economic and social truth, he did not believe that the food consumer did otherwise than benefit by what he should regard as a most foolish and extravagant form of game preserving. But if the House really took the view of the hon. Member, the way to deal with the question was not to break contracts between landlord and tenant, but to forbid game preserving. This Bill did nothing to restrain the man who both owned and occupied his land from carrying game preserving to the most extravagant point, nor would it prevent the occupier who rented both the land and the shooting. What the Bill aimed at was to prevent injustice to the tenant farmer. Let the House do that, but why strike at what the hon. Gentleman admitted to be the very basis and foundation of all civilised society? It could not be beyond the ingenuity of the House of Commons to provide that the tenant farmer should not be injured without breaking every existing contract. He did not know whether the Government had studied this Bill before becoming responsible for it. But this was a monstrous provision, monstrous not because the pecuniary interests involved were great, but because the principle on which it was based was abominable. It was a survival of the careless drafting of the true authors and begetters of the Bill. The landlord was not, after all, a criminal *qua* landlord. He owned his land by the same title that anybody else owned anything. He was at liberty to make a contract with anyone who had his eyes open to what he was doing; and in the interests of the community, which depended on the sanctity of contract, let not Parliament in mere folly and carelessness strike a blow at one of the most important principles which should guide legislation. He could not help feeling that this House, a very well-meaning House, very benevolent in intention, was a little apt to deal with each isolated question that came up wholly without regard to the general principles involved. That was not wise, and did not in the long run produce good results to any class of the community. Of this amiable weakness, this clause was a striking example. He hoped the Amendment would be accepted, but if it were not he trusted the Government would mitigate the absurdities of the present clause by amending it somewhat in the direction which had been indicated.

*MR. R. PEARCE (Staffordshire, Leek) said that by the philosophical utterances of the hon. Member for Preston and the Leader of the Opposition, they had been carried into a higher sphere than mere wrangles between landlord and tenant, but they had come away from the question whether contracts should be broken under this Bill or whether its operation should be postponed. He ventured to think that, in considering the Amendment, the words "any damage" in the clause, when they had to be construed, would have to be construed with reference to the rent which had been reserved and to the damage sustained by the tenant, and the tenant could not obtain any damages in the case where the tenant had allowance for game injury in the reservation of sporting rights under his tenancy. He protested against the postponement of the application of the clause for the reason that if that course was pursued the same thing would happen as happened under the Irish Church Disestablishment Act, and new contracts would be made by the thousand to prevent any compensation being obtained under the Bill. In Ireland curates were created by hundreds in order that compensation might be claimed. In looking at the philosophical views of the hon. Member for Preston it seemed that a more practical effect might be given to them. The real remedy was the one indicated by the Leader of the Opposition and by the Member for Oxford University, when he referred to the action of the Colleges, who let their land without reserving any sporting rights, and if they had an Act of Parliament prohibiting landlords from reserving sporting rights at all, they would then do that which ought to be done in the interest of both the tenants and landlords. The most important basis of our civilisation in this regard was that the farmer who was cultivating the land for the benefit of himself and also of the food consumer, should have whole control over the land in his occupation. He should have complete control and should be able to say to the landlord and his sporting tenant, "You shall not come on the land at all except on terms arranged with me." The sporting tenant should be subordinate in every way to the farming tenant, as the production of food was far more important than the production of game. He and his friends supported the Bill and accepted it so far as it went in the direction of bringing about a state of affairs in which the actual occupier engaged in the production of food should have the entire control of the holding he took. If that ideal were attained it would be the death blow of the tenant farmers' proverb in West Derbyshire that Paradise was twenty miles from the agent and forty miles from the landlord. To settle the game question was far more important than to settle the question of compensation; for while the former came up every year the latter came up only once in a tenancy. If under this Bill they could provide that the agricultural tenant should be the sole master of the land he occupied they would have done something towards putting agriculture on a better footing.

*VISCOUNT TURNOUR (Sussex, Horsham) thought that most of the speeches to which they had listened had not a very great deal to do with the Amendment under discussion, and, if he were a supporter of the Government instead of a member of the Opposition, he would say that some Members who sat opposite had been doing something to waste time. The hon. Member for Preston, for instance, had entered into a very elaborate discussion as to the game laws of this country. If he wished to convert his own Party to the policy of total abolition of game preservation he would have his hands full. He might make a start with the hon. Members who sat below him and also some other hon. Members who sat on those benches. His speech and the speech of the other Members who had spoken had not much to do with the Amendment, which was to decide whether this clause should apply to existing contracts or only to contracts made in the future. It seemed to him that a great deal of inconvenience would be caused not only to landlords but also to tenant farmers if the Bill was made to apply to existing contracts. He had in mind one particular case which perhaps was not very usual in the country as a whole, but which in the county with which he was familiar was usual, a case in which a landlord had let his farm at an enhanced rent to a tenant in consideration of the tenant being permitted to kill partridges on his land. These cases happened in a bad partridge country where the partridge shooting was not worth much, and where the landlords were poor and allowed the tenant farmers to shoot the partridges during the month of September, they themselves keeping the cover shooting. In consideration of this, the tenants gave rather more rent than they otherwise would. Many of these cases occurred in the South country, and they would be very prejudicially affected by the clause as it stood at present. Similar arrangements were made for the convenience not of the landlord only, but also of the tenant, and it was very hard that both parties to those arrangements should be upset by what he believed was the rather arbitrary provision of the clause. It was a clause on which they should have further advice from the original promoters of the Bill—the only hon. Gentleman who was at present a Member of the House and a promoter of the Bill was not in his place—and in view of the importance of the measure and of the fact that the Government had done a most unusual thing in starring it as a Government measure, it would be well if the Prime Minister, or at all events some Cabinet Minister, were present on the Treasury Bench during this discussion, more especially as the Leader of the Opposition had taken part in it. It was only another instance of the failure of the present Government and especially of Members of the Cabinet to be present in the House during important debates. He had yet to learn that during important discussions of this kind the Treasury Bench should be denuded of members of the Cabinet. He hoped that the House would consider this question as the Leader of the Opposition had asked them to do from the general point of view, and that they would consider the inconvenience which would be caused not to landlords but to tenant farmers as well by making this clause apply to existing contracts. He had listened with great care to the speeches of the hon. Gentleman opposite, but he had not heard a single speech in which good reason had been brought forward for making the clause apply to existing contracts. Therefore, he hoped the House would accept the Amendment of his hon. friend and not make the clause apply to them, thus avoiding what would be a great inconvenience to landlords and tenant farmers alike.

SIR EDWARD STRACHEY rose in his place, and claimed to move "That the Question be now put," but Mr. Speaker witheld his assent, and declined then to put that Question.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) expressed his surprise at the only answer the Government proposed to give to the arguments addressed to them with regard to this child which they had picked up somewhere and now proposed to father. The point under discussion was one of enormous importance and raised a principle far wider than the scope of the Bill. It was a question of what treatment this House was going to afford to contracts already entered into when they were legislating for the future. He had listened to three speeches from the other side of the House in defence of the clause as it stood, and it was curious to consider what those three defences were. The hon. Member for Preston had defended the clause because he would like to see the preservation of game made illegal on any cultivated or cultivable land. The hon. Gentleman who had spoken from the Front Bench had defended it because it ought in his opinion to be impossible for the landlord or sporting tenant to go on to the landlord's land without the permission of the occupier, and the hon. and learned Gentleman had defended it on the ground that something, which the clause did not do, would be fair. The hon. and learned Solicitor-General had not answered one point. He had not advised the House as to the accuracy of the view of the hon. and learned Gentleman behind him. The hon. and learned Gentleman had defended the clause on the ground that it would lead to compensation not being given twice over for any damage that was suffered from game—that if a certain amount of loss was contemplated when a man made his tenancy, when he went into Court with his claim for damage the arbitrator would be bound to deduct from his award the amount of damage which the tenant might reasonably expect and take into consideration in entering on his tenancy. He desired the opinion of the two law officers on the accuracy of that interpretation and whether, if it were not correct, they would assent to the Amendment which would make this Bill what the hon. and learned Gentleman conceived it to be.

MR. GUEST (Cardiff District) thought there was a general intention to provide reasonable compensation to the tenant who suffered from injury caused by game. As had been pointed out, the preservation of game varied in amount, and the amount largely determined the extent of the injury. One hon. Member had spoken of the possibility of the preservation of game being increased on a particular estate, but he did not mention the possibility of the preservation being diminished. Such diminution did occasionally take place, and surely the arbitrator should give as much consideration to that point as to the other. The whole House would be agreed that injury by game to crops was in fact always and habitually taken into consideration in fixing the rent. If any hon. Member doubted that, he (Mr. Guest) could prove it to him from his own personal experience. Tenant farmers with whom he had had to do, had, when they learnt that they were to have the shooting rights, made higher offers for the farms.. Therefore, it was indisputable that a certain amount of injury was already provided for by the existing law. If they were all agreed upon that, the question resolved itself simply into a matter of drafting. At the present moment they were discussing whether the clause did in fact provide what the Government intended it to provide. As he read the clause, it seemed to him that the arbitrator would be forced to take into consideration the amount of compensation already before him in fixing the full compensation that should be paid. If they were agreed that there should be fair compensation and that it should take into account the compensation already existing, there should be no difficulty in finding words to meet the case.

*MR. COURTHOPE (Sussex, Rye) said that with the exception of the speech of the hon. Gentleman who had just sat down the speeches of hon. Members opposite had displayed a certain amount of ingenuity and an extraordinary amount of ignorance on everything connected with sport, agriculture and law. The hon. Member for Preston seemed to think that they ran after birds with butterfly nets or put salt on their tails. The suggestion of the hon. Member for the Leek Division that there should be no rights reserved to the landlords would surely be the very last thing which would conduce to the prosperity of the agricultural industry. It would promote absenteeism, and do away with the large amount of money circulating in the districts owing to sport. The hon. Member for the Wycombe Division of Buckinghamshire had pleaded for the tenant in a case where a large increase in the stock of game took place after agreements had been made as to compensation, and had given an illustration which was almost identical with the facts in Nelson *v.* Farrar. That well-known case, which had never been disputed, laid down that any excessive increase in the amount of the game reared should be a cause for compensation. That was the law as it stood. All rural land carried a certain amount of game, and anything in excess of that should be subject to compensation.

*Mr. HERBERT: That case shows that it will inflict no injustice upon the landlord to make this Bill apply to existing tenancies.

*Mr. COURTHOPE thought it went exactly the other way. The speeches of hon. Members opposite had been based upon two assumptions. The first was that it was the desire of the Party of which he was a member that the whole world should be an immense game preserve, and secondly, that game was an unmitigated evil. Owing to the preservation and pursuit of game a great deal of employment was given in our rural districts during the winter months, a time when in many cases employment was scarce

*Mr. SPEAKER: The arguments of the hon. Member do not seem to be relevant to the Amendment.

*Mr. COURTHOPE said he was trying to answer the arguments of the other side, but he would not press the point. He would like to ask the hon. Baronet in charge of the Bill whether instructions would be given to the arbitrators, in assessing compensation due for damage done by game, to assess also as a counter claim the benefit accruing to the farmer owing to the destruction of wire worm by game. He would ask either the hon. Baronet in charge of the Bill or the Solicitor-General to make some answer to the questions which were being put to them. Were the arbitrators to assume there was no natural right for any game to be upon the land and to ignore all initial understandings which had been based upon former agreements? Were they to take into any account the reduction of rent which very often, though not put into so many words, was well known to take place owing to the presence of game? He thought common courtesy required that some answer should be made to the speeches of the Leader of the Opposition and the late Chancellor of the Exchequer. As, however, the hon. Gentlemen opposite showed no intention of making any answer he begged to move that the debate be now adjourned.

Mr. SPEAKER declined to propose the Question to the House.

Mr. LANE-FOX asked the Government, as a matter of common courtesy, to make some reply to the speeches of the hon. Members of the Opposition. The taciturnity of the Government was simply a repetition of what happened time after time when the Bill was before the Committee. Then the representatives of the Government would take no part in the discussion, and consequently he and his friends had no means of knowing what their views were upon the arguments put forward concerning matters of great importance. This afternoon speeches had been made from the Opposition Benches and they had a right to expect some indication from the Government as to whether the views contained in those speeches met with favour or not. The taciturnity was apparent during the whole of the debate on the previous day. They had been told that the Bill was of great importance and that it was absolutely necessary to bring it forward with the utmost despatch. He doubted whether the appearance of the Front Opposition Bench warranted that contention.

Sir W. ROBSON said he only spoke again by the indulgence of the House, and he would not have intervened had not the hon. Member who had just sat down assumed that the Government were wanting in courtesy in not replying. That was a charge of a serious character. He did not think there had been any point which he did not answer in the course of the remarks he made last night. With regard to the application to existing tenancies the Bill would apply without any qualification or limitation at all. It applied to existing tenancies in precisely the same way as the Bill of 1900 applied to existing tenancies. He wondered why the high philosophic ground taken up in regard to the principle affecting contracts was not considered by the late Government in 1900. There was no pretence of limiting the legislation of that day to future contracts, and there was no pretence now of limiting it to future contracts. They were following, as he understood, the recommendations of the Royal Commission, which included among its members the right hon. Member for South Dublin. They might therefore be saved from accusations of revolutionary legislation. They were doing what their predecessors did. They were following advice which right hon. Gentlemen opposite had given in their Royal Commission, and under those circumstances he did not see any necessity for speech after speech.

MR. AUSTEN CHAMBERLAIN: May I appeal to the right hon. Gentleman to answer the specific question I put to him?

SIR W. ROBSON said he had answered it. He did not propose to enter into controversy with particular individuals. He thought he had adequately met the question of the right hon. Gentleman when he gave him an answer in substance.

MR. AUSTEN CHAMBERLAIN said he merely desired to say that nothing was further from his thoughts than to invite the right hon. Gentleman into a personal altercation with any Member of this House. All he wanted was an answer to his question and he had not got it.

MR. CAVE (Surrey, Kingston) said the Solicitor-General had stated that no provision was made in the Act of 1900 in reference to current tenancies.

SIR W. ROBSON: I said that the Act of 1900 applied to them.

*MR. CAVE said the Solicitor-General had stated that it applied to existing tenancies in the same way as to future tenancies, but in that he was entirely mistaken. The Act of 1900 gave compensation for certain improvements, and Section 7 of that Act provided that—

> "Compensation in respect of improvements made before this Act came into operation shall be such as could have been claimed if this Act had not been passed and shall be ascertained in the manner provided by this Act."

Then in a well-known edition of the Act there was a footnote which stated—

> "The Act is retrospective as to procedure but not as to rights."

That disposed for the moment of any personal questions, but he wished to say a few words about the real point, namely, whether the Act should apply to current tenancies. Supposing there was a case in which negotiations went on for a tenancy or lease, and the question of game was mentioned, and the tenant was permitted to give a lower rent because there was a reservation of shooting rights. In such a case the tenant would have already had his compensation for damage by game in the shape of a reduction of rent, but nevertheless that tenant would come in for compensation under this Act. It had been stated by a previous speaker that under this Bill damages could only be claimed to the extent of the damage done and not already arranged for, but he entirely dissented from that view. Under the Bill as it now stood such a tenant, if his crops were damaged by game, would have the full right of compensation under this Bill, and the arbitrator would not be able to take into consideration the agreement as to shooting rights, and therefore the tenant would get his compensation twice over. Nobody could say that that was a fair provision. Again, suppose that in a current tenancy agreement there was an express provision that a tenant should be entitled to certain compensation in the form of an abatement of rent or otherwise in satisfaction of any claim for damage that might be done by game. In such a case the covenant to pay so much compensation would not be void under the Bill, but the provision that the tenant should take that particular sum as full compensation for damage by game would be void as cutting down the tenant's right under this Bill. Therefore, although that agreement would be binding on the landlord, it would not be binding on the tenant. He hoped he had made it clear to the House that important points arose under this clause, and he trusted the Government would consider them.

Sir W. ROBSON pointed out that the Act of 1900 distinguished between improvements made before the Act and improvements made after the Act. Improvements might be made after the Act by a tenant under a lease, but he would get for that improvement compensation under the Act. Therefore he was quite right in his statement that the Act applied to existing tenancies for it admitted the principle that in spite of the existing tenancy the right of the existing tenant could be enlarged by legislation.

Lord DALMENY (Edinburgh, Midlothian) confessed that he had not quite understood the answer given by the Solicitor-General. He wished to know whether they would be able to discuss this question upon subsequent Amendments or whether those Amendments would be out of order. Everybody agreed that tenant farmers should be recompensed when damage was done, but he was sure nobody wanted compensation to be paid twice over.

***Mr. SPEAKER**: Some Amendments will be in order and some will not. The Amendment standing in the name of the right hon. and gallant Member for Shropshire very largely raises the same point as this and probably there will be a further opportunity on that Amendment.

Mr. J. F. MASON (Windsor) said there were some points upon this question which seemed to him to require very careful consideration. He apologised to the House for quoting the custom of his own part of the country. In his own farm leases he had always inserted voluntarily a clause by which he bound himself to pay compensation for damage over a certain limited amount. He had done this from selfish motives because it paid him. He got higher rents in consequence, because the question of game damage was eliminated from the farmers' risk. He had another selfish object and that was to get the assistance of the farmer in the preservation of game. His tenants would have absolutely nothing to gain by this clause. There were many landlords who did not make the same arrangements as he did with his tenants and who had let their farms without any question of compensation, and those landlords had undoubtedly let their farms at rents below what they would otherwise have been able to obtain had they adopted his plan. He maintained that the tenants of the latter landlords would gain under this Bill, not only compensation, but also the advantage of the lower rents under which they were now holding their tenancies. Why should his tenants suffer or why should it be necessary to legislate to make him reduce his rent?

Mr. NUSSEY said they were all agreed with regard to the principle of this clause. He thought it was perfectly right that a tenant farmer should be compensated for any damage done by winged game, but it appeared to him that in this case they were going to get compensation twice over. The hon. and learned Gentleman had tried to bolster up his case by referring to the Act of 1900, but it should be remembered that that Act was carefully drawn with regard to existing contracts and limitations were carefully made. The draftsmen of this Bill could not be proud of their achievement. This was a case which might be fairly met without giving away the principle of the clause. While he was desirous that damage done by game should be fully compensated, he was not desirous of paying twice for that damage or for anything else. If the Government desired to facilitate the passage of this somewhat controversial Bill he could not see why they did not accept the Amendment.

Mr. BOWLES (Lambeth, Norwood) said he had listened to this debate with great interest. It seemed to him that the position in which they found themselves was an extremely remarkable one. All who had taken part in the debate were agreed that where a tenant had suffered damage by game reasonable compensation was due to him. They were also agreed on both sides of the House that care should be taken that such compensation was not paid twice over. They were further agreed that under the clause as it now stood there was a real practical danger that, so far as existing contracts were concerned, the compensation might be paid twice over. Why, then, was it impossible for them to come to a general agreement on the matter? It seemed to him that the only reason was that the hon. Gentleman opposite thought it a point of honour to maintain a form of words which the Government had shown themselves unable by any means to defend. The clause as it now stood could not be defended. If it could have been defended the Solicitor-General would have done so. The hon. and learned Gentleman had said, not that it was a reasonable and fair provision and that it would work well, but that its provisions bore some analogy to the Act of 1900—an analogy which had been completely shattered by other speakers. If that was the position of the Solicitor-General what was the position of the hon. Baronet in charge of the Bill? What contribution had he made to the discussion of this question, which, after all, was not primarily or mainly a legal question? It was a question more of country gentlemen's justice and equity. The hon. Baronet seemed to be so much enamoured of this new child of his that the slightest breath against it reduced him to a condition of gloomy silence. He was deserving of their sympathy. The position of the hon. Gentleman reminded him of the lines of Sir Walter Raleigh—

Silence in love bewrays more woe
  Than words, though ne'er so witty:
A beggar that is dumb, you know,
  May challenge double pity.

MR. PAULTON (Durham, Bishop Auckland) said the Amendment which they were now asked to adopt would be very unfair to existing tenants. [AN HON. MEMBER: Why?] It was acknowledged that compensation should be given for damage done by game, but this Amendment would exclude tenants under existing leases from receiving compensation. He suggested that it would be perfectly easy to insert words in subsection (2) to make it clear that the arbitrator should have regard to any arrangement between landlord and tenant as to damage done by game. They could discuss this point when they came to the sub-section.

*MR. CARLILE (Hertfordshire, St. Albans) called attention to the fact that until a moment ago, when the Chancellor of the Duchy arrived, no member of the Cabinet had been in the House for some hours. It showed that the Cabinet was more or less indifferent to the subject under consideration. There was no desire on the part of sportsmen or landowners that the preservation of game should be a burden on the tenant farmer. Before entering into existing contracts tenants had been able to form an idea as to the amount of damage likely to arise from the preservation of game, and that had been taken into account in the fixing of the rent. Under this precious Bill, however, the reduction in the rent, amounting perhaps to 2s. 6d. or 5s. per acre, mutually agreed upon between landlord and tenant in consideration of the preservation of game, was to be ignored, and the tenant, who was perfectly satisfied, was to be placed at loggerheads with the landlord. A bone of contention was to be thrown down between landlord and tenant, and they were to be forced to go to the expense of a yearly arbitration on this point. It was only fair that contracts now running should be continued on the present basis. The tenant made his agreement with his eyes open, but it was now proposed to tear up and destroy that contract and to make the poor landlord, who was already sufficiently badly off, pay compensation twice over. He supposed that the Government by this policy of meddling wanted to set landlords and tenants at loggerheads. They fancied that in some way they were going to squeeze a little advantage out for their own Party. If the Amendment was rejected the rents of the tenant farmers would be raised. [Laughter.] Hon. Members below the gangway laughed, but it was quite well known that if a farm became vacant in Scotland there were ten or twelve people wanting it. In England also there were a number of people willing to take vacant farms. If this Bill were passed rents would have to be revised, because landlords would not renew tenancies on the existing terms. They would say that this more or less iniquitous measure was hanging over their heads, and that they had to make themselves safe owing to the possibility of their having to pay compensation twice over. He had no objection to the clause if it were made to apply to new contracts, because then landlords and tenants would have the opportunity of seeing what their respective circumstances were, and, thoroughly understanding them, they could come mutually to an arrangement or go to arbitration. If under existing contracts tenant farmers got their farms at less than their real value, it was because of the preservation of game. But they had all sorts of other advantages in regard to the repairs of fences and obtaining timber from the woodlands. These were a set-off against the inconvenience arising from the preservation of game. Was it fair that the Government should step in, and, by this clause, destroy these arrangements? On every ground he hoped that the Government would accept the Amendment, so that existing contracts would be held outside the purview of the Bill, and tenant farmers who were quite able to understand their contracts and to make their own terms with their landlords would be allowed to carry out the undertakings which they have made with them.

*Mr. WALTERS (Sheffield, Brightside) said that whatever alteration was required in the clause, that suggested in the Amendment was the very worst that could be devised. It had been suggested that the clause provided the possibility, if not the probability, of compensation being paid twice, but the Amendment provided that for the next generation or so no compensation should be paid at all. As practically all the land in the kingdom was now in occupation it must follow from the Amendment that only when a tenant vacated it, or died, would compensation be payable. Many tenants had leases of fourteen or twenty-one years, and under the Amendment it would not be possible for tenants with such long leases to obtain compensation until those leases terminated. He thought, however, that some Amendment was needed in the clause. The real grievance put forward with regard to it was that when a tenant required compensation no notice might be taken by the arbitrator of agreements in existing tenancies. That was a real grievance. Why not put in words providing that when a claim was made under an existing tenancy the arbitrator might take notice of and make allowance for existing bargains as to damage by game? To his mind the Amendment before the House was an attempt to defeat compensation altogether. The words of the Amendment would have the effect of postponing the time when compensation could be paid to future tenancies. If his suggestion were accepted it would go far to meet the case.

Mr. HICKS BEACH (Gloucestershire, Tewkesbury) wished to remind the House that the vast majority of tenancies in England were only held under a yearly agreement. It appeared that there was a general agreement on both sides of the House that compensation should be paid for damage caused by game, and also that they should avoid trivial claims for damage which introduced friction between landlord and tenant. He would suggest to the right hon. Gentleman in charge of the Bill that if the Government were so very loth to accept the Amendment, which had received considerable support on both sides of the House, they should accept the Amendment standing in his name later on, which was to leave out from the clause at line 8 all after "damage," and insert "as exceeds in amount the sum of one shilling per acre of his holding." He thought that that would meet the objection which many hon. Members had to the clause as it now stood; because when a tenant went to take a farm and offered a rent which he thought he could afford to pay, knowing that a certain amount of game was reared on the farm which would do a certain amount of damage about which nothing was said in the agreement——

Sir W. ROBSON said that the House would deal very shortly with the hon. Gentleman's Amendment, and some satisfactory arrangement might be come to which would meet his view. Therefore, the sooner the House came to the Amendment the better.

Mr. HICKS BEACH said that after that statement he would say no more at present.

Question put.

The House divided :—Ayes, 90; Noes, 349. (Division List No. 381.)

AYES.

Anson, Sir William Reynell
Arkwright, John Stanhope
Balcarres, Lord
Balfour, Rt. Hn. A. J. (City Lond.
Banbury, Sir Frederick George
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cavendish, Rt. Hn. Victor C. W.
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marbleyone, E.)
Chamberlain, Rt. HnJ. A. (Worc.
Coates, E. Feetham (Lewisham)
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, Govan
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George D.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Hambro, Charles Eric
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Helmsley, Viscount
Hervey, F. W. F. (Bury S. Edm'ds
Hill, Sir Clement (Shrewsbury)
Houston, Robert Paterson
Kennaway, Rt. Hn. Sir John H.
Kenyon-Slaney, Rt. Hn. Col. W.
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Liddell, Henry
Long, Col. Chas. W. (Evesham)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacIver, David (Liverpool)
M'Calmont, Colonel James
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor]
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
O'Neill, Hon. Robert Torrens
Pease, Herbert Pike (Darlington
Percy, Earl
Randles, Sir John Scurrah
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton)
Starkey, John R.
Staveley-Hill, Henry (Staffsh.)
Stone, Sir Benjamin
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thomson, W. Mitchell-(Lanark
Thornton, Percy M.
Turnour, Viscount
Vincent, Col. Sir C. E. Howard
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon C. B. Stuart-
Younger, George

Tellers for the Ayes—Sir Alexander Acland-Hood and Viscount Valentia.

NOES.

Abraham, Wm. (Cork. N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. H. (Eastbourne
Beaumont, Hn W. C. B. (Hexham
Beck, A. Cecil
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, J. H. (Essex, Romford
Bethell, T. R. (Essex, Maldon)
Black, Arthur W. (Bedfordshire
Boland, John
Bolton, T. D. (Derbyshire, N.E.
Boulton, A. C. F. (Ramsey)
Branch, James
Brigg, John
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn Sir J. T. (Chesh.)
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buckmaster, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Buxton, Rt. Hn Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Frederick
Channing, Francis Allston
Cheetham, John Frederick
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Cremer, William Randal
Crombie, John William
Crooks, William

Cross, Alexander
Crossley, William J.
Dalmeny, Lord
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Fiennes, Hon. Eustace
Flynn, James Christopher
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gardner,Col.Alan(Hereford,S.)
Gibb, James (Harrow)
Gill, A. H.
Gladstone,Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Sir W. Brampton
Hall, Frederick
Hammond, John
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haworth, Arthur A.
Hazel, Dr. A. E.
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope, W.Bateman(Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jackson, R. S.
Jacoby, James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Jones, SirD.Brynmor(Swansea)
Jones, Leif (Appleby)
Jones, Wm. (Carnarvonshire)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lambert, George
Lamont, Norman
Leese, SirJosephF.(Accrington)
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Levy, Maurice
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks,G.Croydon(Launceston)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies Walter
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Murphy, John
Murray, James
Myer, Horatio
Newnes, Sir George (Swansea)
Nicholson, Chas. N. (Doncast'r)
Norman, Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Kelly,James(Roscommon,N.
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk, Eye)
Perks, Robert William
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Price, C. E. (Edinb'gh, Central)
Price, Robert John(Norfolk,E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, T.F.(Wolverh'mpt'n)
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn.E. (Dundee)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.

Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward(Salisbury
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas,Sir A. (Glamorgan, E.)
Thomasson, Franklin
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Wadsworth, J.
Walker, H. De. R.(Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward,W.Dudley (Southampton
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Weir, James Galloway
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wills, Arthur Walters
Wilson,Hn.C. H. W. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, J.W.(Worcestersh, N.
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Woodhouse,SirJ.T.(Huddersf'd
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A Pease.

MR. HICKS BEACH (Gloucestershire, Tewkesbury) moved to leave out the word "any" before the word "damage" and said that after the few words that they had heard from the Solicitor-General there seemed to be some chance of the Government's accepting the Amendment. His object in moving to leave out this word was to prevent any trivial damage being taken into account. He did not want the tenant to have compensation twice over, and frequently he already received a certain amount of compensation from the lowness of the rent he paid. He also proposed later on to insert words which would indicate the amount of compensation. He believed that when a tenant took a farm, the only calculation he made as to damage was 1s. an acre for the whole holding, and he proposed that compensation should be payable when it exceeded that amount; but, of course if the hon. Baronet in charge of the Bill did not agree with that figure it could be altered. He proposed to move, however, that a provision as to compensation over 1s. per acre should be inserted.

Amendment proposed—

"In page 2, line 5, to leave out the word 'any.'"—(*Mr. Hicks Beach.*)

Question proposed, "That the word 'any' stand part of the clause."

SIR EDWARD STRACHEY said he agreed with most of what the hon. Member said. It appeared to be the general feeling that there ought to be some minimum, and he agreed to the necessity of putting one in. If the hon. Member would withdraw his Amendment, he was prepared to move later that compensation should be given in regard to damage "if it exceeds in amount the sum of 1s per acre of the area over which the damage extends."

MR. ABEL SMITH (Hertfordshire, Hertford) said they desired to give compensation to a tenant in serious cases of damage, but not to give him compensation when the claim was frivolous. It appeared to him that the suggestion of the hon. Baronet did not meet the case. If it was agreed that 1s. an acre was a reasonable amount, it would apply to small holdings and large holdings alike, and he did not think it was necessary in an arbitration to go into details as to the exact area over which the damage extended. He therefore thought the Amendment proposed by his hon. friend was better than that of the hon. Baronet.

SIR FREDERICK BANBURY said this Bill had been so badly drafted that it was impossible to remedy it. He did not think the Amendment was a good one. Suppose there was a tenant of 1,000 acres, 10 acres of which had been damaged, the 1s. an acre on 1,000 acres was £50. It was not likely that the whole 1,000 acres would be damaged, so that that tenant would be precluded from getting compensation, whereas the tenant of 100 acres might get £5.

MR. NUSSEY said that if damage to the extent of 1s. was done to a single acre then an action would lie. If it was less than 1s. an action would not lie. The intention was to make a minimum. That was his intention when he put down the Amendment to make it 20s. In Scotland it was 40s. He thought there should be some limit and he was satisfied with the Amendment moved.

Mr. LAMBTON (Durham, S.E.) said he supported the Amendment that the word "any" be left out as it conduced to the better drafting of the Bill.

Mr. A. J. BALFOUR on a point of order, asked whether the discussion or the carrying of this Amendment would imperil any of the discussions that might come later. He did not see that the word was necessary, and it might be left out without prejudice to any of the discussions that might follow.

*Mr. SPEAKER said he did not think that either by the acceptance or the rejection of the Amendment the debate on any subsequent Amendment would be affected.

Mr. A. J. BALFOUR said that being so he imagined it would be well for the Government to accept this Amendment, otherwise they might be led into one of those sporadic discussions which settled nothing.

Sir EDWARD STRACHEY assented.

Amendment agreed to.

Mr. COCHRANE (Ayrshire, N.) wished to insert after "damage" the following proviso, "(other than damage by hares and rabbits to moorlands and unenclosed lands)." He asked whether it was intended to deal with ground game under this clause. The Solicitor-General for Scotland would be aware that that had been already dealt with this session. Under the principal Act of 1880 there was a certain restriction in regard to moorlands and the time when it was lawful to kill hares and rabbits. There were now only three months in the year when a tenant had not a lawful right to kill hares and rabbits, and he thought it would be a mistake by this Bill to interfere with the sacred rights of shooting which brought so much prosperity to the people of the Highlands.

Viscount TURNOUR seconded the Amendment.

Amendment proposed—

"In page 2, line 5, after the word 'damage,' to insert the words, 'other than damage by hares and rabbits to moorlands and unenclosed lands.'"—(*Mr. Cochrane.*)

Question proposed "That those words be there inserted."

The SOLICITOR - GENERAL for SCOTLAND (Mr. Ure, Linlithgowshire) said the proposals in this Bill would not in any way affect the ground game.

An HON. MEMBER thought the mover of the Amendment was under a misapprehension. The Act of 1877 gave compensation for all damage done by ground game, and in 1880 the tenants were prohibited from killing during three months of the year. The Act passed this year only shortened the time when the tenant was prohibited from killing ground game. If this Bill was passed it would take away from the Scottish tenant something which he had had since 1877. He did not think that was the intention of the Government, and with great submission he thought this was a matter which might very well be left alone.

Amendment, by leave, withdrawn.

Sir FREDERICK BANBURY moved to amend the clause so as to limit the compensation to be paid to the tenant to damage committed by game "reared on the estate of the landlord." He thought the object of the Amendment was so self-evident that he would content himself with an illustration of the case it was intended to deal with. A tenant had a farm adjoining the land of another landlord. On that land was a wood in which the landowner reared a large quantity of pheasants. If those pheasants strayed on to the farm of the man who rented from another landlord, the result would be that as the tenant had no lawful right to kill on his land he could under this Bill recover compensation from his own landlord. His landlord did not rear the pheasants or have the shooting, and he could not say to his neighbour: "You must not rear pheasants because they come on to the land of my tenant and I have to pay compensation." That was what might occur under this Bill. He begged to move.

VISCOUNT TURNOUR formally seconded the Amendment.

Amendment proposed—

"In page 2, line 6, after the word 'game,' insert the words, 'reared on the estate of his landlord.' "—(*Sir Frederick Banbury.*)

Question proposed, "That those words be there inserted."

SIR EDWARD STRACHEY said that what the hon. Baronet proposed was that where the landlord's neighbour reared a large head of pheasants which came on to the land of his tenant, the tenant whose crops were eaten up should receive no compensation at all.

SIR FREDERICK BANBURY thought he should not be able to recover compensation from his own landlord.

SIR EDWARD STRACHEY asked whether hon. Gentlemen opposite argued that because the game came from a spot a hundred yards off the landlord's property the tenant must not receive any compensation? That was ridiculous. What good was it to say to a tenant who had sustained damage in this way: "I am sorry, but I do not rear pheasants, but my neighbour rears a large number of them, and they come over on to my land but I forbid you to kill them?" Why did he forbid the tenant to kill them? Either because he wanted the shooting himself or because he was afraid his neighbour would think he was doing an unfriendly act if he allowed his tenant to kill the game. It did not matter so much where the birds came from; what they had to deal with was where the birds happened to be at the particular moment and what damage they were doing. The Amendment seemed to be simply a case of splitting hairs.

MR. COCHRANE said the hon. Baronet seemed to have missed the point. If the tenant had not a lawful right to kill the pheasants when they were doing the damage—that was when the crops were growing and before they were ripe—how could he deal with the question? It seemed to him that his landlord would become liable for such damage. What was required was that they should give the tenant some remedy, and it should not be against his own landlord who did not grow game, but against the man who did grow the game.

SIR EDWARD STRACHEY said in that case the landlord had a remedy under the common law.

MR. COCHRANE asked why that was not inserted in the Bill? Let them suppose that a landlord owning a field in the neighbourhood of another large landlord who grew pheasants was proceeded against. He could see no provision which would enable that landlord to recover from anybody else. He would take the case of a landlord in Scotland who had property, say half a mile from a grouse moor, where his tenants' crops remained out late, owing to the inclemency of the weather, and the flocks of grouse came down upon his crops. Was that tenant's remedy against the landlord who had not a grouse of his own upon his property? Those were points to which the hon. Baronet had not given full consideration. He thought the Secretary for Scotland ought to be present to give them the benefit of his advice. Crops did not remain out so long in England as in Scotland, and perhaps this evil of grouse coming down in large numbers from the hills and committing considerable damage amongst the crops did not arise so much. But was it fair or right that the landlord who had not a single grouse on his property should be responsible for the damage done by grouse which came from long distances? Surely the Government could introduce an Amendment to clear up that grievance.

SIR BRAMPTON GURDON (Norfolk, N.) said he had considerable sympathy with this Amendment, because it was a serious thing that a landlord should have to pay damage for game which he had not reared. At the same time he agreed it would be hard to take away from the tenant all chance of getting compensation. It should not be forgotten, however, that the person who was entitled to kill the game was the landlord, because all the pheasants on his land became his property. He thought they might meet the difficulty by inserting such words as "or the person causing such damage." He thought that would be fair to both landlord and tenant.

MR. A. J. BALFOUR said the hon. Baronet in charge of the Bill had informed them that this was a hair-splitting Amendment. It was nothing of the kind. The difficulty arose from the fact that the landlord expected to pay the damage was not the man who had caused it, but someone else altogether. Why were they going to provide this remedy against the man who had not caused the tort and who could not prevent the wrong? The hon. Baronet had talked about hair-splitting, and he had given the House to understand that if the landlord acted with common consideration he could give to the tenant the right to kill the game, and then he would not need to ask for damages. It had already been pointed out that nobody had a right to kill the game during those particular months when the damage was being done. How did the hon. Baronet answer that argument? By an interruption in which he said there was a common law remedy. Was it a common law remedy for the farmer or the landlord? Had the farmer who suffered the right to claim from his neighbouring landlord? Not at all. The man who had the right to claim was the tenant. The suggestion of the Government was that the tenant should have the right to claim damages against his own landlord for something his own landlord did not do and could not help, and the tenant was still to retain his common law rights against the neighbouring landlord. Did this not point to a difficulty for which a remedy must be found? If the common law were sufficient, why should they not accept the Amendment and allow the tenant who suffered to extract damages not from his own landlord who had done no wrong, but from his neighbouring landlord who had done the wrong? If there was no adequate remedy at common law the Government should provide such a remedy as would carry out the suggestion of the hon. Member who had just sat down, and enable the tenant to obtain his damages from the man who had caused it. That was plain common sense. The Bill did not carry out that policy. He hoped some member of the Government would either suggest some way out of the difficulty or give the House some better defence for leaving the Bill as it was at the present time.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs) said the damage one man might receive or the advantage he might obtain from his neighbour's pheasants was one of the most tender subjects in public life. It seemed to him that the way to meet the case was to allow the advantage to go to the person who received the damage. The person who received the damage was the farmer who found his crops injured by pheasants coming from land which did not belong to his landlord, and this Bill dealt with his case when he received damage from game that he had not the lawful right to kill. Let them give him the lawful right to kill. Who prevented his having the lawful right to kill? His landlord. [OPPOSITION cries of "No."] If the tenant was injured during the close season, let him recoup himself with the pheasants he killed after the close season. His memory went back far in regard to game questions. In the early seventies, when people were groping their way towards the prevention of damage by ground game—no one would have been so profane then as to meddle with winged game—it was argued that a hare was a most movable animal and scoured the country in search of food; and he remembered an hon. Member of the House suggesting that every hare should bear either the crest or the monogram of the man on whose land it was bred. If a farmer's land lay close to a wood which did not belong to his landlord and he suffered through the pheasants that came out of the wood, they would come out of the wood after the close season, and if the tenant had the right to shoot, he could shoot them. If he had not the right to shoot, let the landlord make good the damage. The landlord caused the damage by putting his tenant in that position.

MR. AUSTEN CHAMBERLAIN said he was sure the House was grateful to the right hon. Gentleman for his reluctant intervention in the debate. He had, at all events, added to the gaiety of the proceedings, and he had also made a most instructive speech. The right hon. Gentleman had said, "Let the advantage go to the same person who receives the damage." That was common ground. Ought it not equally to be common ground that the compensation should be paid by the person who inflicted the damage? It was the natural corollary of that principle that the person who sustained the damage should receive the compensation and that the person who inflicted it should pay for it. That was the object of the Amendment, and the only question was whether it was best secured by the Amendment or by the arbitrary action recommended by the Prime Minister. What was the Prime Minister's recommendation? The right hon. Gentleman had said that when damage was done to the crops of a tenant of landlord B by the pheasants of landlord A during the close season when nobody had the right to kill the birds, it would be sufficient satisfaction to landlord B, against whom the tenant was, under the Bill, to have the right to claim compensation, to kill pheasants after 1st October which landlord A had reared, and which, if it had depended on landlord B, would, perhaps, never have been reared.

MR. H. J. TENNANT (Berwickshire): The landlord does not rear them, but the tenant, or at any rate the tenant feeds them. That is the point.

MR. AUSTEN CHAMBERLAIN: The right hon. Gentleman held that the right to kill pheasants after 1st October was sufficient compensation for damage done before that date. Then let them give the tenant the right to kill pheasants after 1st October, but not the right to claim compensation against his landlord who had not inflicted any damage upon him. This was very important and perhaps he might press it a little further. The Prime Minister said, "Give the tenant the right to shoot." If he had the right to shoot after 1st October, did the right hon. Gentleman propose he should have no claim for damage done before 1st October? It was not the landlord who prevented his tenant from shooting during the close season, but the law of the land.

SIR H. CAMPBELL-BANNERMAN: It might not be identically the same pheasant that did damage in August that the tenant would shoot in October, but it would be one of the pheasants that came out of the same wood, and surely that would be some compensation for the damage done.

MR. AUSTEN CHAMBERLAIN said they wanted to give the tenant all the compensation he was entitled to, but they wished it to be paid by the man who did him the wrong. The right hon. Gentleman's proposal was that it should be paid by some person who could not have prevented the wrong. Was ever a more preposterous proposal put forward by a Goverment or a Prime Minister than that a man should pay damage for a wrong which he could not prevent, and that a tenant should recoup himself months afterwards by destroying the property of his neighbour? If that was the only contribution the Prime Minister could make to the solution of this question, he was afraid he could not congratulate him on the results of his intervention.

MR. A. DEWAR (Edinburgh, S.) said it appeared to him that the right hon. Gentleman opposite had neglected to read the clause with which they were dealing, for he had reiterated time after time the point as to how could the tenant have the right to shoot in the close season. This clause only applied to those tenants who had no right to shoot at any time of the year. If the tenant had the right to shoot on the 1st October this clause would not apply, for it only applied "where the tenant has sustained any damage from game that he has not the lawful right to kill." It was a mere fiction to say that the game did not belong to the landlord on whose ground it was feeding, because the moment game put foot on the land it became the property of the landlord. Hon. Members might laugh, but they did not know that thousands of partridges were brought over every year from Hungary and sent to different parts of the country. They hopped through the hedge to feed in fields which did not belong to the landlords who owned the birds. It was the easiest thing in the world to do, although it was unsportsmanlike, and, if it was done, it ought not to be at the expense of the tenant. Grouse were caught in nets by thousands. He would vote against the Amendment.

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) said that the speeches which had been made showed what a delightful prospect was before those who had to live in the country when this ill-drafted legislation was carried into effect. He would like to point out that the remedy which the landlord apparently had, according to the hon. Baronet in charge of the Bill, to give the tenant the right to kill game on his land, was in reality no remedy at all. That was the case not only because of the close season, but because it was not easy for one man to keep down game that might invade his fields from the cover of a neighbouring wood. The tenant might go out day after day, and night after night, and kill an odd pheasant or two, but as soon as he went away the pheasants from the wood would return to the field where they had been before. To say that a landlord could protect himself by giving the tenant a right to shoot was to say a thing anybody who knew anything about the habits of pheasants, especially when they were poaching, would consider most extraordinary. The Prime Minister had given expression to a very remarkable doctrine, namely, "That the man who had suffered damage should get the remedy, no matter from whom." That was a delightful sentiment. An exact analogy to that was to say that if anybody stole a man's purse that man would be entitled to take the purse of the first person he met, regardless of whether that person took the purse or not. He thought the Prime Minister or the hon. Baronet might devise some other means of getting over the difficulty which would be free from the objections to which this method was subject.

MR. WILLIAM REDMOND (Clare, E.) said a good deal of time had been wasted on this Amendment The muddle into which the House had got might be cleared up by a few plain words of elucidation from him. The Prime Minister, if he might be allowed to say so most respectfully, had just delivered the true and just solution of this difficulty. His suggestion was that where there came on a landlord's property birds which he had not reared, and which interfered with and damaged his tenant's crops, the landlord should say to his tenant, "I am not responsible for these birds; I have not reared them, but if they come and feed on your crops on my land you are at perfect liberty to shoot them." [AN HON. MEMBER: In the close season?] He knew just as much about the close season as the hon. Member who interrupted, and he dared say that he had shot just as many birds. Of course, the tenants would not shoot in the close season. Even tenants were too good sportsmen for that. He did not know what sort of shots the tenants were whom the noble Viscount supposed would only get a bird now and then after being out all day, and all night, too, he supposed, on the field, but he believed that tenants generally were as likely to be as good shots and as good sportsmen as any noble Lord. The right hon. Gentleman who had been Chancellor of the Exchequer, and, therefore, knew all about pheasant shooting, suggested that the damage was all done by invading armies of birds in the spring time and all through the summer, and that, therefore, it was impossible for the tenant to protect himself in the manner suggested by the Prime Minister. If the birds came on his land in sufficient quantities to do any considerable damage, the tenant would be able to make a very good thing out of them if he sold them instead of carrying out the time-honoured custom in this country of laying at the feet of the landlord everything in the shape of game. The Prime Minister had in this matter shown himself to be a thoroughly good sportsman, and had made a suggestion which ought in all fairness to be adopted by the House. At the same time he was bound to say that the hon. Baronet the Member for the City of London, whom he had had the pleasure of seeing that morning in the well-preserved district of Lombard Street, had drawn too strong a picture of the landlord who did not like pheasants, could not stand the sight of a grouse, would not be seen on the same side of a paddock with a partridge, and could not stand game except on his table. There were few landlords like that, and the case supposed was far fetched, but was amply met by the proposal of the right hon. Gentleman. Let the man whose crops were eaten by the birds, shoot them, sell them, and put the money in his pocket.

Mr. MUNRO FERGUSON (Leith Burghs) said the whole of this subject was discussed very fully upstairs, and the conclusion generally arrived at by the Committee was that it would be extremely difficult for the tenant to get his compensation if he could not get it from his landlord. He admitted that there were some cases where it was desirable that the tenants should be able to claim from the neighbouring landlord, and that one landlord should be able to claim from another, but he believed that that was not so simple a matter as appeared to have been supposed. If that Amendment in the law could be made, it would be extremely useful, not merely in respect of winged game, but of ground game also. It seemed to be the practice in the Midlands, and in Yorkshire also, to have pheasants as near the march as possible. In Scotland pheasants were generally kept away from the march, and in the months of August and September, there were not, as a rule, many birds off the property on which they were reared. He did not know why birds should be kept near the march unless it was that they might eat the crops on the neighbouring land. Grouse was a very valuable bird and people who had that bird were generally ready to pay compensation for the damage it did. Certainly grouse could be easily shot not only in September, but even in August, if they came out upon an early crop. The class of cases which would arise to be dealt with under these proposals were extremely limited, and, therefore, this was a far fetched Amendment. There were some clauses in the Bill which he did not greatly admire, as he did not think they had been well drawn, but he did not consider that this one need be materially altered.

Mr. LAMBTON thought that this was a very bad Amendment, and the arguments against it were almost worse. It was an impossible Amendment, but the subject ought to receive more consideration, and should be dealt with in quite a different way. A landlord might not be able to prevent damage being done by game reared on another estate, and why should he be made responsible for it? The way out of the difficulty would be that the landlord should receive compensation for the damage from the owner of the neighbouring estate and hand it over to the tenant.

Mr. OSMOND WILLIAMS (Merionethshire) said it appeared to him that they were discussing a matter which would scarcely arise. No one reared pheasants near the border of his neighbour's property.

Colonel KENYON-SLANEY (Shropshire, Newport) asked the Prime Minister's attention to a little difficulty in his suggested mode of dealing with the matter. He was certain that the right hon. Gentleman had not seriously thought out the proposition he had made. The tenant must have suffered considerable damage in March and April from pheasants which had crossed the boundary of his farm from a neighbouring estate, but the birds, which were not incapable of flying or moving, might not wait until the 1st October for the tenant to have a shot at them, and therefore the tenant might be unable to recoup himself for the loss sustained in the early part of the year by shooting the pheasants. Besides, the tenant would have to take out a game licence, which cost £3, before he was entitled to shoot.

Mr. WILLIAM REDMOND: The tenant can shoot a lot with a £1 licence.

Colonel KENYON-SLANEY said that any rate the tenant would have to pay a certain amount for a licence, and in all probability he would not be able to recoup himself for his expense and loss. He did not think the Prime Minister had realised that difficulty. They on that side of the House believed that considerable damage might be done to a tenant by the presence of game; they desired that the tenant should receive compensation, but that compensation should be paid by the owners of the birds which did the damage. He thought that was in the interests of fair play.

Mr. ALEXANDER CROSS (Glasgow, Camlachie) pointed out that the right to shoot which the Prime Minister proposed to confer on the tenants was the most valuable means of insisting on compensation. He hoped that the Amendment, which was obviously absurd, would not be pressed, because it would compel the tenant to identify the birds before he got his compensation.

Question put, and negatived.

Sir W. ROBSON moved an Amendment providing that where the tenant had sustained any damage from game that "neither he nor anyone claiming under him has" the lawful right to kill he should be entitled to compensation from his landlord for the damage caused. He had considered the words of the Amendment of the hon. Member opposite, but he did not think that they would attain the object they had in view. The object of the Amendment was to meet the case of a tenant depriving himself of the right to kill the game, though claiming compensation from the landlord.

Amendment proposed—

"In page 2, line 6, after the word 'that' to leave out the words 'he has not' and insert the words 'neither he, nor anyone claiming under him has.'"—(*The Solicitor-General.*)

*__Mr. CAVE__ said that he had a somewhat similar Amendment on the Paper, and that just moved by the Solicitor General met one of the points of his Amendment. Under the Bill as it stood a tenant might deprive himself by agreement of the right to shoot game, and might afterwards claim compensation from his landlord for damage done by the tenant's own lessee; and the Amendment before the House was, no doubt, intended to provide for this contingency. But he did not think the Amendment of the Solicitor-General quite covered the whole ground, and he preferred his own Amendment, namely, after the word "that" to insert "by reason of the terms of his tenancy."

*__Sir WILLIAM ANSON__ (Oxford University) was not quite sure that the Amendment of his hon. friend quite covered the case of where a landlord did not reserve the right to preserve the game. The Amendment of the Solicitor-General had met the case he himself had in view and would remove the necessity of his moving an Amendment he had later on the Paper.

Lord R. CECIL (Marylebone, E.) said that the Solicitor-General proposed by his Amendment to confine the right of a tenant to recover compensation in a case where neither he nor anyone claiming under him had the lawful right to kill. Normally the tenant had the right to kill the game, but by contract he might have deprived himself of that right. But the Amendment might be applied to the case of a landlord who took over the shooting rights from the tenant and actually became his lessee. It appeared to him that in such a case the effect of the clause would be destroyed.

Sir W. ROBSON said there were very few cases in which the landlord claimed the right to kill game under a right reserved to him by his tenant.

Mr. NUSSEY said a landlord might in the first instance give a right to the tenant in regard to game, and then try to take that back again under a separate agreement. The tenant would, in that case, contract himself out of the Act, and the clause would be null and void. He hoped that this matter would receive the attention of the Government.

Mr. HERBERT said that if the landlord had reserved the game, it was not the case that the game had been assigned to the tenant by the landlord. Therefore, he did not claim under the tenant at all.

Mr. WILLIAM RUTHERFORD said the effect of the clause might be that at certain times of the year neither the tenant, nor anyone claiming under him, nor the landlord, had any right to kill, and therefore although the damage was sustained at that time of the year, although the landlord would have no right to kill, the tenant might have the right to claim compensation from the landlord. If the Solicitor-General would add some other words, clearing this up, it would be more satisfactory.

Mr. GUEST said there was no danger of the clause being rendered null and void, if after "him" the words "other than his landlord," were inserted in the Amendment.

MR. A. J BALFOUR said this was a curious technical point. There was no difference of opinion as to what should be done, but it was simply a question of legal interpretation, on which he would not trouble the House. The House would, however, be glad to hear from the Solicitor-General, in a more explicit form, what was to be understood from his utterance across the floor of the House in the form of an ejaculatory remark. Although the hon. and learned Gentleman had lost his right to speak again he was sure the House would be glad to hear him. The point was that by the ordinary law the tenant had the right to kill game, and the landlord if he claimed it, in the case of a new tenant, might come into the category of those who claimed it under the tenant. He dared say the point was wrong, but they had not heard where it was wrong.

SIR W. ROBSON said it would be a very remarkable landlord who instead of reserving the game to himself allowed his tenant to have it, knowing that he would become a person claiming under the tenant and would have to pay compensation. That was what he failed to appreciate. It was suggested that the landlord might enter into a contract with his tenant to take his game from the tenant, and therefore he would claim under the tenant. One could only provide for practical people, and to have to provide for a landlord of that kind was he thought unreasonable.

MR. AUSTEN CHAMBERLAIN said his hon. friend was not seeking to protect the landlords, but was asking whether by a side wind the Government would not destroy the right of the tenant to compensation.

SIR W. ROBSON dissented.

MR. AUSTEN CHAMBERLAIN said the suggestion was that the right to shoot the game resting with the tenant, the landlord provided for a reservation, the contract not being embodied in the same contract which let the land. He could conceive of the case of a separate contract. The landlord made a contract to let his land and the tenant gave him the right to kill game. The hon. Gentleman wished to reserve for the tenant the right of compensation, and clearly he ought to have the right to compensation.

MR. SOARES (Devonshire, Barnstaple) did not think that as regarded the Amendment they found themselves in a very real discussion. He thought the whole House was agreed as to what their object was, but the difficulty was that there would be attempts to evade the operation of the clause when a new tenant was obtained. It would be possible for the landlord to let the land to the tenant and take an agreement from the tenant letting him the game rights at the same time.

SIR W. ROBSON said he was obliged for the suggestion of his hon. friend the Member for Cardiff to insert in the Amendment the words "other than his landlord." Those words might make the matter perfectly clear.

Amendment proposed to the proposed Amendment—

"After the word 'him' to insert 'other than his landlord.'"—(*Sir W. Robson.*)

Question, "That those words be there inserted," put, and agreed to.

Words, as amended, inserted in the Bill.

SIR BRAMPTON GURDON moved to insert after the word "kill" the words "or is unable to kill." That would meet the point of hon. Members opposite about the close time; it would also meet the point when the pheasants came out of covert and ran back before they could be shot. It would, lastly, deal with the case of hares which, like this House, did their damage at night. He hoped the hon. and learned Gentlemen would accept the Amendment.

Amendment proposed—

"In page 2, line 6, after the word 'kill,' to insert the words, 'or is unable to kill.'"—(*Sir Brampton Gurdon.*)

Question proposed, "That those words be there inserted."

Sir W. ROBSON said he was afraid the words were a little too vague, and he could not accept the Amendment.

Mr. A. J. BALFOUR agreed that the language of the Amendment was rather vague and seemed to point to protection from indifferent shots rather than the protection its mover had in view. He submitted, however, that though the words were too loose, it did not follow that the Government could not deal with the substance of the Amendment. Other words could be found. It was a mere matter of drafting.

Amendment, by leave, withdrawn.

Colonel KENYON-SLANEY moved to amend the clause so that it should read, "Where the tenant has sustained damage to his crops from game that he has not a lawful right to kill, the provisions of the Game Laws Amendment (Scotland) Act, 1877, shall apply." He said as this was the first of a series of Amendments that it was his duty to move, he desired to say candidly, and at once, that recognising the changed conditions under which the House was discussing this Bill, and recognising that it was now taken over by the Government who had power to pass it into law, the Amendments he proposed were moved with the object of making it a better Bill, and not with the object of wasting time. When the hon. Baronet in charge of the Bill opened the discussion on Clause 2, he did so in very temperate language. He said—

> "The object of this clause is to prevent excessive game preservation, except when compensation is paid to the tenant."

He (Colonel Kenyon-Slaney) accepted that. That was the position that all wanted to arrive at, and it was in order that that position might be reached in the straightest and simplest fashion that he should put his Amendments to the Government. The landlords of the country were specially likely to agree, because of their intense desire to preserve such relations with their future tenants as they now had with the present tenants, and because they knew perfectly well that any attempt to resist the system would be to lower the value of agricultural land and disorganise the present system of agricultural tenancies. In short, they would not if they could and they could not if they would. There was another matter to which he was sorry to have to refer. There had been other words used besides those of the hon. Baronet to which he must call attention. The noble Lord the President of the Board of Agriculture had had a good deal to say about this Bill. He was about to quote from a newspaper report, and nobody would be more glad than he if anyone could get up and say that the report was not accurate or that it did not represent what was said. In a speech which the noble Lord made recently at the Westminster Palace Hotel he was reported to have spoken as follows—

> "Above all they desire to retain the power of the landlords to dump down on the land any amount of winged game, which the tenants have no right to shoot, without any compensation being paid."

A more unjust and unfair travesty of the action of the landlords of this country had never been uttered by a public man. He was very sorry that the noble Lord should have stooped to use such language, which was unworthy of him. In so doing he had made an ignoble use of his rank as a peer of the realm and his position as a member of the Government. If those words were correctly reported they were utterly opposed to the facts. They were absolutely repudiated on all sides, and no fair-minded man would attribute to the landlords the wish of which the noble Lord chose to speak in this way. The present law of England was that where the landlord reserved the right of shooting that he had the right to maintain upon the land the normal and natural amount of game without having to pay compensation, and that wherever there was an artificial increase of game to the extent of doing damage the tenant had a right to sue the landlord in the county court. The Bill in its present shape abolished that right, and set up a right in the tenant to claim compensation for damage for not only an excessive amount of game but for any game which might exist on the tenant's holding. That was a very large change, and had an aspect more far-reaching than was apparent at first sight. One result of the abolition of this right of the landlord would be many disputes, much litigation, and considerable ill-feeling engendered among those who now trusted and knew one another. It would also lead to an enormous diminution in the value of the sporting rights. He did not know exactly what was the value of the sporting rights, but it was many millions, and he wanted hon. Members to realise that by this Bill they would take from those who possessed them not only sporting rights of enormous value or diminish them to a great extent, but they would diminish the saleable value of the land and the rental value of the sporting rights. Another effect that this Bill would have, as it now stood, would be on the rates, which would be felt by the tenant farmer much more than by the landlord. If they diminished the value of the sporting rights of the landlords they would diminish the rates they paid, and the difference would fall on the occupiers of the land. One result of his Amendment would be to remedy those mistakes. There was also the effect upon employment in rural districts, which in winter months was very much enhanced by the present system, of a certain amount of game preservation. If such results as he had pointed out were likely to flow from the Bill in its present state they were in rather an unfortunate position, and if it were shown that a proposal were put forward showing that they could get out of that position and still achieve the object of preventing excessive game preservation, except when compensation was paid to the tenant, the proposal would be deserving of consideration. His suggestion was that they should accept in lieu of this clause practically the provisions of the Game Laws Amendment (Scotland) Act, 1897. The provisions of that Act were that when a landlord and a tenant were negotiating for the letting and taking of a farm the landlord agreed to let the land at a less amount than he would otherwise do in consideration of reserving the right to retain a certain amount of game on the holding. If the tenant thought the landlord had increased the number of his game so that they did damage in excess of the compensation agreed upon, it was within his right at the expiration of any year to give notice in writing to his landlord to go to arbitration, if need be, to assess the greater damages he thought had accrued. This proposal carried with it all the aspirations to which hon. Members in all parts of the House had given utterance in regard to this Bill. It would disencumber the Bill of a great number of tiresome Amendments which would otherwise be brought forward, and it would strengthen the position and hasten the process by which the tenant could get compensation. The tendency under such an arrangement as he proposed would be to raise the sporting rent and lower the agricultural rent. He could only conceive the possibility of one objection being taken to the Amendment, and that would no doubt come from those who thought that to maintain any freedom of contract between owner and occupier was a wrong thing. There was not an hon. Member on the other side who would like to abolish freedom of contract in commerce or business. Then why should they seek to abolish it in regard to agricultural matters, which many people were always saying should be removed further and further from sentiment and put more on commercial lines? The abolition of freedom of contract was the last thing farmers desired. He had had frequent conversations with farmers, and he was assured that they were most anxious to retain the freedom of making their own contracts with the landlords, because they made better terms. Another hope they had expressed was that the House of Commons would do nothing to limit the inclination of landlords to spend as largely as possible on their estates. This Amendment would go a considerable way in simplifying the law and in unifying it with that of Scotland; and if he were also right in saying it would improve the position of the tenant in regard to game and give him greater benefits and safeguards, besides generally carrying out more effectively the objects of the promoters of the Bill, he thought he had put forward a good claim. He begged to move.

*MR. STAVELEY-HILL (Staffordshire, Kingswinford) seconded the Amendment.

They all wanted to deal with this question of compensation fairly in cases where there was an excessive quantity of game preserved, and were desirous that arrangements made for compensation should be as simple as possible. He trusted therefore that the Government would accept the Amendment to simplify the measure. The farmers, at any rate in Staffordshire, would prefer to make their arrangements with their landlords rather than have arrangements made for them at Westminster, and he thought the Amendment would have everyone's approval. It would have the advantage of unifying the law of England and Scotland.

Amendment proposed—

"In page 2, line 6, to leave out all after the word 'kill,' and to insert the words 'Sections 4, 5, 6, and 7, of The Game Laws Amendment (Scotland) Act, 1877, shall apply.'"—(*Colonel Kenyon-Slaney.*)

Question proposed, "That the words 'he shall' stand part of the Bill."

THE SOLICITOR-GENERAL FOR SCOTLAND (Mr. URE, Linlithgowshire) said that being a north-countryman and a practiser in the Courts of Scotland he would say that there was no system of jurisprudence to compare with the Scottish. But everything in its place. The first of the four clauses proposed to be inserted by the right hon. Gentleman prescribed a minimum sum beyond which the damage to game must extend if there was to be any claim on the part of the lessee against the lessor. There was, however, on the Paper in the name of one of the right hon. Gentleman's own friends an Amendment which was to be accepted by the Government, and that disposed of Clause 4 which the right hon. Gentleman wished to import. The next clause that the right hon. Gentleman desired to import from the Scottish Statute was one providing for the tenant giving notice to his landlord of a claim for damages if he intended to make one. This Bill contained a provision to that effect. Furthermore the Act of 1877 was wholly inapplicable to the present state of affairs, because at that time the tenant had not the right to ground game, and the clause enjoined a tenant, if he wanted to make a claim for damages in respect of injury done by ground game, to give notice to his landlord. The next clause provided a mode of settling the claim, and really the object of this Amendment was to import the Scottish system for the purpose of ascertaining the damage. The system under the Act of 1877 was one under which if both landlord and tenant agreed in writing they might refer the claim to arbitration. How could the House, after having passed a clause which declared that every claim should be referred to a single arbitrator, import provisions which said that a landlord and tenant should go to arbitration if they agreed to do so? Supposing landlord and tenant did not agree to refer disputes to arbitration under the Act of 1877, the alternative then was that the tenant must go to the Sheriff Court in Scotland. Did the right hon. Gentleman suggest that if a Suffolk farmer made a claim against his landlord he must go to the Sheriff Court in Scotland? That was the effect of the Amendment. He was not speaking deprecatory of the Act of 1877, which was very reasonable thirty years ago, but it was antiquated and obsolete, and was superseded by this Bill. The Government had taken the best part of the Act of 1877, and imported it into this Bill, but they were now asked to import into the measure a code of procedure worse than, and entirely different from, that already adopted. Of course, the right hon. Gentleman did not mean that the English and Welsh tenants should be required to have their claims sent to be disposed of in the Sheriff Courts of Scotland. What he meant was that he should like to have the claims sent to the County Courts. Had not the Legislature deliberately in 1883 and 1890 decided that all these claims should be disposed of out of Court before an intelligent arbitrator as cheaply and speedily as possible? Here the right hon. Gentleman was seeking to set the law back to where it was before 1883, and to involve landlords and tenants in prolonged litigation. The Government could not possibly accept the Amendment.

MR. COCHRANE said he was sorry to hear that the Government was unable to accept the Amendment. The hon. and learned Gentleman had presented a spectacle which drew forth the sympathy of his brother Scots. He had represented himself as an enthusiastic believer in the better construction of the Scottish Acts of Parliament, as compared with those of

England. In Scotland landlords and tenants had had the experience of an Act which had been in operation for the last twenty years. Sub-sections (a) and (b) of the clause now before them had a very familiar ring, and that was because they embodied the substance of the two similar sub-sections which appeared in the Scottish Act of 1877. He was pleased to find that they had been drafted by the hon. and learned Gentleman, but one swallow did not make a summer, and one good feature in a clause did not make the whole clause good. The Scottish Act of 1877 was a far better Act than this Bill would ever be. In the first place it enabled agreements to be made between landlord and tenant, and that was very desirable. But if they did not make any agreement matters in dispute fell to be dealt with under Section 4, which he ventured to say provided a far better form of procedure than that proposed by this Bill, even if the Amendment was adopted to substitute the sum of 1s. per acre for an indefinite sum. If the Amendment were accepted it seemed to him that the tenant would have to prove damage amounting to 1s. per acre calculated over the whole farm.

MR. URE said the words he would propose to insert after the word "damage" were "as exceeds in amount the sum of 1s. per acre of the area over which the damage extends." The effect of that would be to fix the minimum proportionate to the area over which the damage extended, and not proportionate to the whole farm.

MR. COCHRANE said that what they wanted to do was to fix a small sum. Where the damage in Scotland did not exceed 40s. the tenant was not supposed to have any claim. Forty shillings was a reasonable amount, but what the hon. and learned Gentleman proposed would be a variable amount. Who was to tell the area over which the damage extended? Another set of arbitrators would be required to go over the farm to say that a particular drill of turnips had been damaged, and to stop at a particular field and say that no further damage had been done by pheasants. That system would involve practical difficulties in arriving at the amount of damage, and he preferred the definite sum laid down in the Scottish Act. The hon. and learned Gentleman with great courage desired to support his colleagues, but he knew perfectly well that in his heart he agreed with him. Let them adopt the Scottish system rather than go into new and fancy arrangements. The Bill had been riddled through and through by argument The Government were not going to leave Scotland alone. They were going to force on Scotland a measure which was less adequate than that which had been in successful operation for over twenty years. If they wanted to improve the condition of affairs in England, let them not deprive the people of Scotland of what they had. Let the Solicitor-General for Scotland exercise his influence to exclude Scotland from this Bill which would not be so satisfactory as the existing law.

SIR EDWARD STRACHEY said the Scottish Chamber of Agriculture at a meeting held the other day in Edinburgh had passed recently a Resolution unanimously approving Clause 2 of this Bill. That body, consisting of longheaded men who thoroughly understood their own interests and were capable agriculturists in every way, did not seem to be so much in love with the existing law as the hon. Gentleman opposite. Naturally from that point of view he himself wished to see the desire of the Scottish farmers carried out. If it was the case that the whole of the Scottish farmers objected to the English law there would be very good reason for saying that it should not be applied to Scotland, but according to the public Press they said exactly the opposite Therefore he gathered from the hon. Gentleman that if he found that he was mistaken he would be quite ready to accept the statement of the Solicitor-General for Scotland.

MR. COCHRANE said that the Bill was so drawn that he himself was only beginning to understand what its provisions really meant. He was a member of the Committee upstairs, and he was under the impression that the Solicitor-General for Scotland would have been perfectly happy to have been left alone under the law as it at present stood.

SIR EDWARD STRACHEY said he did not want to press the matter unduly, but he held in his hand a report of a meeting of the Scottish Chamber of Agriculture, held in Edinburgh on 15th June this year, which showed that that Chamber had unanimously passed a Resolution approving of Clause 2 of this Bill. He naturally supposed that the Scottish Chamber of Agriculture represented the Scottish farmers in the same way that the Central Chamber of Agriculture in England represented the farmers in this country. The Amendment of the right hon. Member for Shropshire would enable the landlord to contract himself out of the Act, and to say to the tenant that any damage done on his estate by game should be covered by a certain, perhaps inadequate, sum, and that no more compensation would be allowed.

LORD BALCARRES (Lancashire, Chorley) said he understood the hon. Baronet to say that the Scottish Chamber of Agriculture had unanimously passed a Resolution on the 15th June in favour of this Bill; but if the hon. Baronet would refer to a report in *The Scotsman* on 11th October this year, of a conference held in Edinburgh of the Chamber of Agriculture and representative agriculturists, at which the President of the Board of Agriculture was present, he would find that the opinion expressed by the Scottish Chamber of Agriculture in June last was materially departed from, and that the conference by an overwhelming majority was against this Bill.

SIR EDWARD STRACHEY: Not the second clause.

MR. COURTHOPE (Sussex, Rye) said he was very much surprised that the hon. Gentleman declined to agree to the Amendment, because those who sat on the Grand Committee upstairs when the Bill was considered were very much struck by the great stress the Solicitor-General for Scotland laid upon the superiority of the Scottish law with reference to game, over the English law and even over the proposal contained in this Bill. He certainly gathered, and so did many of his friends upon that Committee, that the hon. and learned Gentleman very much preferred the Scottish system, and thought that this Bill should not apply to Scotland.

MR. URE said that what he had stated was that the more he saw of the Bill the more he agreed with it, but the Bill was altered after he had made the statement referred to by the hon. Member.

*MR. COURTHOPE said that the learned Solicitor-General was certainly right in saying that the Bill was altered after his remark that he devoutly hoped this Bill would not apply to Scotland, but he would remember that he made the remark upon more than one occasion, and on the last occasion it was after considerable changes had been made in the measure. However, he would not press that point. He thought if only the truth were known, the hon. Baronet in charge of the Bill was equally anxious that it should not apply to England. The hon. Baronet had made several allusions to the effect that a Resolution was passed by the Scottish Chamber of Agriculture in June of this year in favour of the clause as it stood in the Bill, or rather before the Bill passed the Committee Stage; and also that some members of the English Central Chamber of Agriculture were likewise in favour of it. He took it that they meant that they were in agreement that due compensation should be given for damage done by game. He did not quarrel with that principle, but with the extraordinary method by which this Bill proposed to carry it out. As to the hon. Baronet's statement that the Scottish law gave an opportunity to landlords to contract out, he thought he was right in saying that that was not the case in Scotland, and also that the Scottish farmer was a longheaded man and could look after himself. He was not going to accept an agreement which fixed a sum inadequate to the amount of compensation due for damage done. He would further remind the hon. Baronet of a certain case which he had already mentioned, viz., Nelson *v.* Farrar, which decided that if the game reared on any holding was increased above the amount contemplated in the agreement the agricultural tenant could sustain a claim for damages beyond that which was contracted for. He thought that so long as that case held good (and there was no probability of its being upset) there was really very little foundation for the fears that the landlord would contract himself out of the bargain. He was satisfied himself that the Scottish system was a good one and equally applicable to England. Therefore, he would urge once more upon the hon. Baronet and the learned Solicitor-General for Scotland who was so fond of the Scottish system that they should further consider the matter.

Mr. LANE-FOX said he did not rise as the advocate of the game preserver who wished to feed his pheasants upon another man's corn. He had always considered that this was the best clause in a very bad Bill, because he held that it met a grievance which was distinctly felt by the tenant farmers in many parts of the country. He thought, however, that the Amendment should be accepted. He desired to correct a statement of the hon. Baronet who represented the Board of Agriculture, and to point out that under the Scottish Act it was expressly laid down that the damage could be increased in any year. He quite understood that the hon. Gentleman the Solicitor-General for Scotland should be proud of his own offspring, and that he should resent with some warmth the statements of hon. Members from Scotland that they had found an infant more likely to prosper. As to the opinion of Scottish farmers he thought there was considerable doubt in the minds of some hon. Members, and nobody could be found to say that the whole opinion of Scottish farmers was in favour of this clause as it stood. The Solicitor-General for Scotland was a little pettifogging in his reply to his right hon. friend when he said this Amendment could not be adopted, because it was impossible to adapt the Scottish system to England. If the question were attacked in the proper way, it would be seen that it was perfectly possible to adapt it. It was unworthy of the Solicitor-General to say that because under the Scottish Act they had to go before a Scottish Court they could not adapt the Scottish Act to England; they had only to vary the Court in order to apply it to this country. He had the greatest admiration for the Scottish nation. They had a great many virtues but they had one fault, or were supposed to have one fault, and that was that they were rather litigious. Here was a system, therefore, which had worked with satisfactory results for a great many years, and if it had not produced much litigation in Scotland they might say that it would not in England. Therefore, when they had to choose between a brand-new system of which they had had no experience, even though it was fathered by the Solicitor-General for Scotland, and an old system which had worked well, he thought this House should pause before they accepted the new system. Although most of them did not very much object to the principle of the clause, still they would like to see its form altered in such a way that they should secure freedom of contract.

Sir FREDERICK BANBURY thought that the argument of the Solicitor-General for Scotland that if the Amendment were carried tenants would have to go to the Sheriff Court in Scotland to get redress fell to the ground. His right hon. friend was not a lawyer, and when he moved his Amendment did not desire that every word of it should be accepted. What he desired was that the principle should be accepted, and that in necessary cases the Bill should be altered later on. The second argument of the Solicitor-General for Scotland was that this procedure had been in existence in Scotland for thirty years, the implication being that because it had been in existence for thirty years it must be bad.

Mr. URE: Obsolete.

Sir F. BANBURY said he differed from the Solicitor-General for Scotland. He thought that the laws which were passed in times past were much better than those which were passed to-day, and moreover they had had experience of them. It was clearly in evidence from all parts of the House, from the Scottish Members and from the hon. Gentleman himself, that up to the present time this law had worked well in Scotland, and it should not be got rid of merely because it happened to be old. The proposal to abolish it shed a light upon the policy of right hon. and hon. Gentlemen opposite. They said "merely because a thing is old let us get rid of it," and when they saw a Bill which was very badly drafted, they said "That is new and we will adopt it." The third argument of the hon. Gentleman was that the schedule of this particular Act had not been repealed. But it could be repealed when they came to deal with a later part of the Bill. The hon. Gentleman had also said that no Scottish farmer ever claimed for damage done by winged game but only for damage done by hares and rabbits. If that was so, what was the reason for this Bill as regarded Scotland? He hoped the hon. and learned Gentleman would at some further stage in the Bill answer that question, although he was aware he could not answer it now.

Question put.

The House divided:—Ayes, 265; Noes, 49. (Division List No. 382.)

AYES.

Abraham, Wm. (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn W. C. B. (Hexham
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, J. H. (Essex, Romford
Bethell, T. R. (Essex, Maldon)
Black, Arthur W. (Bedfordshire
Bolton, T. D. (Derbyshire, N.E.
Bottomley, Horatio
Brigg, John
Bright, J. A.
Brooke, Stopford
Brunner, J. L. F. (Lancs., Leigh)
Bryce, J. A. (Inverness Burghs)
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Byles, William Pollard
Cairns, Thomas
Cawley, Frederick
Channing, Francis Allston
Cheetham, John Frederick
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Collins, Sir Wm. J. (S. Pancras, W
Corbett, C. H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Crooks, William
Crossley, William J.
Dalmeny, Lord
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Edwards, Clement (Denbigh)
Elibank, Master of
Esmonde, Sir Thomas
Evans, Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Fiennes, Hon. Eustace
Flynn, James Christopher
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Gulland, John W.
Gurdon, Sir W. Brampton
Hall, Frederick
Hammond, John
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Haworth, Arthur A.
Hemmerde, Edward George
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hills, J. W.
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope, W. Bateman (Somerset, N.
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Jackson, R. S.
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich
Levy, Maurice
Lundon, W.
Lynch, H. B.
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Chas. (Donegal. E.)
M'Crae, George
M'Killop, W.
M'Micking, Major G.
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Nicholson, Chas. N. (Doncaster
Norman, Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly, James (Roscommon, N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, Sir W. D. (Colchester)
Pearson, W. H. M. (Suffolk. Eye)

Pickersgill, Edward Hare
Pirie, Duncan V.
Price,C.E.(Edinburgh, Central)
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro
Redmond,John.E.(Waterford)
Redmond, William (Clare)
Renton, Major Leslie
Richards.T.F.(Wolverhampton
Rickett, J. Compton
Ridsdale, E. A
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Sir M. (Whitechapel)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Smyth, Thos. F. (Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Stanger, H. Y.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E)
Thompson, J.W.H.SomersetE,
Tillett, Louis John
Tomkinson, James
Torrance, Sir A. M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Wadsworth, J.
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Weir, James Galloway
Whitbread, Howard
White J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams, J. (Glamorgan)
Williams,Llewelyn(Carmarth'n
Williamson, E.
Wilson, Hn. C. H. W (Hull, W.
Wilson, J.W.(Worcestersh., N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood,Rt.Hn.SirAlex.F
Anson, Sir William Reynell
Balcarres, Lord
Barrie, H. T. (Londonderry, N.
Beckett, Hon. Gervase
Bignold. Sir Arthur
Bridgeman, W. Clive
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt.Hon. SirEdw.H.
Castlereagh,Viscount
Cave George
Cavendish, Rt.Hon.VictorC.W.
Cecil, Lord R. (Marylebone, E.)
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim,S.)
Craig, Capt. James (Down, E.)
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Duncan, Robert(Lanark,Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Heaton, John Henniker
Helmsley, Viscount
Houston, Robert Paterson
Kennaway, Rt. Hn. Sir JohnH.
Keswick, William
Kimber, Sir Henry
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lowe, Sir Francis William
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, John FrederickPeel
Remnant, James Farquharson
Rutherford W. W. (Liverpool)
Salter, Arthur Clavell
Smith, Abel H.(Hertford,East)
Starkey, John R.
Staveley-Hill, Henry(Staff'sh.)
Thomson, W. Mitchell-(Lanark
Thornton, Percy M.
Valentia, Viscount
Younger, George

TELLERS FOR THE NOES—Colonel Kenyon-Slaney and Sir Frederick Banbury.

SIR W. ROBSON said the Amendment he proposed to move dealt with the same words as were referred to in the Amendment of the right hon. and gallant Gentleman, namely—

> "To leave out the words 'any time during the tenancy,' and to insert the words 'the expiration of any year of his tenancy.'"

The effect of that Amendment would be to prevent the tenant from receiving any compensation during his tenancy. The Government were willing to cut out the words "at any time during the tenancy," in view of what followed later in the clause, where there were words which limited the term to within one month of the expiration of the tenancy. That meant that the tenant had to bring in his claim for compensation within the year or within a month after. He lost his right to claim at all if he did not make the claim within a month of the expiration of his tenancy. He begged to move—

Amendment proposed—

> "In page 2, lines 6 and 7, to leave out the words, 'at any time during the tenancy.'"
> —(*Sir W. Robson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. AKERS-DOUGLAS (Kent, St. Augustine's) said the Amendment of the Solicitor-General proposed to leave out the words objected to by his right hon. and gallant friend, but did not propose to insert the words of his right hon. and gallant friend's Amendment. Therefore it was no real concession, but as even then the Amendment was, in his opinion, an improvement to the Bill, he accepted it.

COLONEL KENYON-SLANEY agreed that this Amendment was far better than his own suggestion to carry out the common object of both.

LORD R. CECIL said he had no objection to the Amendment, and he was willing to give the Government all the credit they were entitled to for having proposed it. He merely wished to point out that it made no difference whatever in the meaning of the clause, that it was a mere drafting Amendment, and except that it avoided a contradiction it did not meet in any way whatever the point raised by his right hon. and gallant friend. He congratulated the hon. and learned Solicitor-General on the ingenious way in which he had engineered the Amendment.

Amendment agreed to.

MR. LANE-FOX, in moving an Amendment providing that instead of being entitled to compensation from his landlord the tenant should be entitled to compensation from the person in whom the right to kill the game might at the time be vested, said he was not animated by the spirit or the wish to favour excessive game preserving. He certainly thought that some form of compensation was urgently needed by the tenant farmers of the country, and that the Amendment he now proposed would make it easier for the tenant farmers to recover the compensation than it would be under the clause as it stood. The House would see that the point covered was not the case of game, reared on an adjoining estate, straying off the land on to that of another landowner. It was the case of the man who had the right to shoot over a particular farm at the time. It was quite clear that it was easier for the tenant to get redress if he could go to the man on the spot, in the case of a landlord who had let his shooting, than it would be if he went to the landlord, because the mere threat, or suggestion from him that he was going to take proceedings would get him the redress he required. But in the case of the landlord who lived far away it might be necessary to actually get him into Court before the redress could be obtained. The method he suggested under this Amendment would meet both cases. If the landlord was shooting over his own land the compensation would be paid by him. If the sporting tenant was shooting over the land he would pay. If the shooting was vested in the tenant the question would not arise. He hoped the Government would see their way to accept the Amendment, but if they did not he should expect good reasons for their declining. This was a case where compensation was distinctly necessary, and the only desire which operated in his mind in proposing this Amendment was to make the clause work with as little friction as possible. He begged to move.

MR. J. F. MASON (Windsor) said he rose to second this Amendment because it was in his opinion desirable that the procedure should be simplified as far as possible. The procedure by which redress was to be obtained under the clause as it stood appeared to him to be very clumsy. It was a most roundabout way for the tenant to obtain redress from the landlord and the landlord to get it from the shooting tenant. It was absolutely certain from cases quoted that the tenant had already redress at common law. It would be very much simpler if the tenant appealed direct to the shooting tenant who was generally accessible.

Amendment proposed—

"In page 2, lines 7 and 8, to leave out the words 'his landlord,' and insert the words 'the person in whom the right to kill the game may at the time be vested.'"—(*Mr. Lane-Fox.*)

Question proposed: "That the words proposed to be left out stand part of the clause."

THE CIVIL LORD OF THE ADMIRALTY (MR. LAMBERT, Devonshire, South Molton) said the Government would certainly be in favour of anything that would tend to simplify the Bill, but they believed that if the Amendment were adopted a further complication would be introduced. They considered that in this matter the tenant should have direct access to the landlord. This was a Land Tenure Bill dealing with the relations between landlord and tenant, and if the shooting tenant were introduced it would add complication to a measure which they desired to render as simple as possible. It was wiser to keep the proceedings under the Bill between landlord and tenant and not permit a third party to come into the operation.

MR. ABEL SMITH did not think the argument of the Civil Lord of the Admiralty was quite a sound one. They all wanted the procedure to be as simple as possible. It was all very well if the landlord happened to live on his own property, but unfortunately a great many landlords were unable to live on their properties. In such cases it would be much more simple and much more to the interest of the tenant to give him a remedy against the shooting tenant.

VISCOUNT HELMSLEY said that the President of the Board of Agriculture had stated that this Bill was necessary because many estates were owned by trustees, mortgages, corporations, or other bodies who were not usually in close touch with the tenants. Surely it would be much simpler for the tenant to go to the man with whom he was in daily contact. To say that it would make complications in the Bill seemed to be to suggest something which no one with any experience of sporting rights would agree with.

MR. GUEST hoped the Amendment would not be pressed. It certainly created the impression of being frivolous. As a rule sporting rights were let for a short period to individuals who might be on the spot for a few months in the year. It would be much more satisfactory that the landlord should be responsible to the tenant for any damage.

SIR WILLIAM ANSON said he saw no frivolity about the Amendment. On its face the Amendment had the serious purpose of making the man who had done the damage pay for it. All were agreed that if injury were done to the tenant by excessive game preservation the tenant should have compensation. Why should it be paid by a third party who had not caused the damage? Surely if the damage was ultimately to be paid for by the person who caused it, it was better that the tenant, who perfectly well knew the author of the injury and was in close contact with him, should be able to go straight to him for his remedy, leaving the landlord out of the question.

MR. CAWLEY (Lancashire, Prestwich) thought it was in the interests of the tenant that this Amendment should pass He was assured that when a tenant had to deal with an outsider he was able to ask and get better terms. The shooting tenants were not an irresponsible class; but were generally persons of means, and the tenant would generally be in a better position in dealing with them than in dealing with the landlord.

MR. CHARLES CRAIG (Antrim, S.) heartily opposed the Amendment, thinking this the only case in which the argument of his hon. friend behind was not sound. The tenant was in a better position if he dealt with his own landlord. It was perfectly true that shooting tenants had means, but frequently the shooting rights were let to a syndicate of gentlemen who usually lived in a different part of the country. Often the shooting was only taken for a year. It was easier and more satisfactory for all parties for the tenants to deal with the landlords in this particular case. It was not the case of birds straying from the land on which they were reared on to an adjacent estate. This Amendment did not meet that case nor had it been met by any other that he could see so far. But where the damage was done by the landlord himself or his shooting tenant it would be much more satisfactory to both parties for the tenant to deal with the landlord direct. The landlord was always represented on the spot by his agent, but if there was any difficulty in finding the landlord at a particular time, he could be always found on rent-day. He could not support the Amendment.

MR. HARWOOD (Bolton) supported the contention that this should be made a matter between the landlord and the tenant. He took it that it was the landlord generally who made the contract with the sporting tenant for the shooting right. Therefore, if the agricultural tenant had any complaint, he should make it to the landlord. He ought not to jump his landlord and go to the sporting tenant who had taken the shooting.

CAPTAIN CRAIG thought this matter could be easily settled if his hon. friend, whom he had not been able to consult, would consent to amend his Amendment by the inclusion of the word 'or," and thus give to the tenant an opportunity of a choice of procedure in a case of this sort, against either the shooting tenant for the time being or the landlord. It might possibly be that the shooting was let to a particular tenant year after year, and in such a case it might be to the advantage of the tenant on the spot to be able to deal with the shooting tenant. The hon. Member for South Antrim, speaking from his own experience, was entirely in favour of the claim for compensation being made against the landlord. But here was a case where the Government could readily recognise that there was a great deal of reason in this Amendment. It was a common sense proposal. He admitted that there might be objections, but he thought they would disappear.

MR. MUNRO FERGUSON deprecated Amendments of this kind being introduced in the interest of the person who let the shooting. The result of the Amendment would be that the shooting tenant would have to meet the claims for damage, and he doubted whether this would be a good working arrangement. If the shooting was let it was preferable that the damage from game should be settled by the owner. Everyone would recognise that although trouble sometimes arose between a landlord and his tenant there was no question on which the tenant was more long-suffering than on this question of game. He thought therefore the landlord should be responsible.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 2, line 8, after the word 'damage,' to insert the words 'if it exceeds more than 1s. an acre.'"—(*Sir Edward Strachey.*)

Mr. Harwood.

MR. COCHRANE thought that although this Amendment was to some extent an improvement on the Bill it was open to objection. An Amendment which he had on the Paper for the same object had the sanction of having been an Act of Parliament for the last eleven years, which had worked with much success in the district in which he resided. The only hostile reply that had been made by the Solicitor-General for Scotland was that the procedure in Scotland would not be applicable to England, and not that the principle of the Scottish Act was not a good principle. The hon. and learned Gentleman had admitted that the law had worked very well in Scotland and that he had no serious fault to find with it on this subject. The proposal which he himself made on the lines of the Scottish Act had very substantial merits which the House might well direct its attention to. Sub-sections (a) and (b) of the clause were taken from the Scottish Act and they were the only good parts of the clause. If a written agreement had been made by which a certain reduction of rent took place in consideration of a certain amount of game being preserved, that would hold good, but where no agreement whatever had been made, if any damage was proved in excess of forty shillings the tenant was entitled to claim compensation. That was preferable to the method suggested by the Amendment of the hon. Baronet, which would involve uncertainty on account of the difficulty in determining the area damaged by game. If the hon. Baronet insisted on introducing ridiculous Amendments, and resisting the simple Amendments moved from that side of the House, he could only form one conclusion, and that was that the reason for proceeding with the Bill was that the Government desired to prevent or restrict discussion on more important measures.

MR. ALEXANDER CROSS joined his hon. friend in opposing the Amendment. The hon. Baronet had said he desired to prevent litigious claims, and to avoid difficulties between landlord and tenant. He had stated that he did not wish any frivolous claim to be made, and he proposed that the tenant should be entitled to compensation if the damage done exceeded 1s. per acre? It was a farcical Amendment. A man walking through a field of standing corn, or even a dog galloping through it, would do far more damage than 1s. per acre. He insisted that a claim for less than 10s. per acre would not be a serious claim. If a man was materially injured, by all means compensate him, but if the damage only amounted to 1s. or 1s. 3d. per acre, that could not be considered seriously as material injury. The Amendment did not bear out the contention of the hon. Baronet, and was rightly characterised by the hon. Member for North Ayrshire as ludicrous.

SIR FREDERICK BANBURY said that a little earlier in the evening he seemed to have been unable to make the hon. Baronet understand his point. He would remind the hon. Baronet that an acre was seventy yards long and seventy yards wide, and the idea of talking of damage to the extent of 1s. on an area of such dimensions was absurd. The Amendment was a frivolous one, and might lead possibly to litigation and trouble.

Question put.

The House divided:—Ayes, 301; Noes, 76. (Division List No. 383.)

AYES.

Abraham, Wm. (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, HnW.C.B.(Hexham
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, SirJ. Williams(Devonport
Benn, W.(T'w'rHamlets,S.Geo.
Berridge, T. H. D.
Bethell, J. H. (Essex, Romford)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W.(Bedfordshire
Bolton, T. D. (Derbyshire, N.E.
Boulton, A. C. F. (Ramsey)
Brigg, John
Bright, J. A.
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh)
Bryce, Rt.Hn.James(Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt.Hn.RichardKnight
Cawley, Frederick
Channing, Francis Allston
Cheetham, John Frederick
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, Sir T. Glen(Renfrew, W.)
Collins, SirWm.J.(S.Pancras,W
Cooper, G. J.
Corbett.C.H.(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crombie, John William
Crooks, William
Crosfield, A. H.
Crossley, William J.
Dalmeny, Lord
Dalziel, James Henry
Davies, David(Montgomery Co.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H. (St.Pancras,N
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Dolan, Charles Joseph
Duckworth, James
Duncan, C.(Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunne, Major E. Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gladstone, Rt.Hn HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gulland, John W.
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Hammond, John
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haworth, Arthur A.
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hills, J. W.
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope, W. Bateman(Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Wm. (Carnarvonshire)
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, SirJosephF.(Accrington

Lever A.Levy(Essex.Harwich)
Lever, W. H.(Cheshire, Wirral)
Levy, Maurice
Lundon, W.
Lupton, Arnold
Lynch, H. B.
Macdonald, J. M.(FalkirkB'ghs
Mackarness, Frederic C
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
M'Micking, Major G.
Marks, G. Croydon(Launceston
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Nicholson,Chas. N. (Doncaster)
Norman, Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly,James (Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, Sir W. D. (Colchester)
Pearson, W.H.M.(Suffolk, Eye)
Philipps, Col.Ivor(S'thampton)
Pickersgill, Edward Hare
Pirie, Duncan V.
Brice, C. E. (Edinb'gh,Central)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Althelstan
Renton, Major Leslie
Richards, T.F.(Wolverhampt'n
Rickett, J. Compton
Risdale, E. A.
Roberts, Chas. H. (Lincoln)
Roberts, G H (Norwich)
Roberts, John H. (Denbighs.)
Robertson, SirG.Scott(Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A.H.(Ashton under Lyne
Seaverns, J. H.
Seddon, J.
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A.(Glamorgan, E)
Thompson, J.W.H.(Somerset,E
Tillett, Louis John
Tomkinson, James
Torrance, Sir A. M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Villiers, Ernest Amherst
Wadsworth, J.
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Ward, John (Stoke upon Trent)
Ward, W.Dudley(Southampton
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Weir, James Galloway
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams,Llewelyn (Carmarth'n
Williamson, A.
Wilson, Hon. C.H.W.(Hull, W.)
Wilson, J.W.(Worcestersh, N.)
Wilson, P. W. (St. Pancras, S.)
Winfrey, R.
Wood, T. M'Kinnon
Woodhouse, SirJ.T.(Hudd'sfi'd
Young, Samuel

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood, Rt.HnSirAlex.F.
Anson, Sir William Reynell
Arkwright, John Stanhope
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry)
Beach,Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt. Hn. VictorC.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R (Marylebone, E.)
Chamberlain, Rt.Hn.J.A.(Worc
Clynes, J. R.
Coates, E.Feetham(Lewisham)
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Douglas, Rt. Hon. A. Akers-
Duncan, Robert(Lanark,Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Gill, A. H.
Hardie, J.Keir(MerthyrTydvil)
Harrison-Broadley, Col. H. B.
Hervey,F.W.F.(Bury,S Edm'ds
Houston, Robert Paterson
Hudson, Walter
Jowett, F. W.
Kennaway, Rt.Hon.SirJohnH.
Kenyon-Slaney,Rt.Hon.Col.W.
Keswick, William
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred

Magnus, Sir Philip
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Nicholson, Wm. G. (Petersfield
Pease, HerbertPike(Darlington
Percy, Earl
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, John FrederickPeel
Remnant, James Farquharson
Roberts, S. (Sheffield,Ecclesall)
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Shackleton, David James
Smith, Abel H.(Hertford,East)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Valentia, Viscount
Wilson, A. Stanley (York, E.R.
Wilson, W. T. (Westhoughton)
Younger, George

TELLERS FOR THE NOES—Mr. Alexander Cross and Sir Frederick Banbury.

SIR W. ROBSON said he had to move a small drafting Amendment. It had been suggested from the other side of the House that the clause was not very explicit, and that the words "agreement to the contrary" required some addition in order to exclude agreements which although not entirely destructive of the right of compensation might be of an illusory character and only give the tenant a small compensation. It was said that those agreements would not come within this section as they would not deprive the tenant of his right to compensation, but might make it very small. He therefore moved to insert after the word "contrary," "or in limitation of such compensation." The clause would then stand so that it would include all agreements which might deprive the tenant of compensation or which would limit it.

Amendment proposed—

"In page 2, line 8, after the word 'contrary' to insert the words 'or in limitation of such compensation.'"—(*Sir W. Robson.*)

Question proposed, "That those words be there inserted."

MR. ABEL SMITH did not quite understand what agreements the Government now wished should be voided. They had already inserted an Amendment about 1s. an acre, and that seemed to him to be an arrangement limiting the compensation. It seemed to him that the Amendment now moved by the hon. and learned Solicitor-General was in contradiction to the Amendment which had been inserted previously.

MR. CAVE said that the hon. and learned Member stated yesterday that an agreement not limiting but defining the right of compensation and fixing a reasonable standard of compensation might take the place of the provisions of the Bill, and at the time he thought the hon. and learned Member had in his mind Section 5 of the Act of 1883, which provided that where an agreement of tenancy contained a clause giving a fair and reasonable compensation for improvements that agreement took the place of the provisions of the Act of 1883. He thought it was desirable that there should be power to put in an agreement of tenancy some clause granting compensation for damage by game, and that where that agreement was fair and reasonable it should be accepted in place of the provisions of this Bill. He should like to know what the Government were going to do on that point.

MR. MITCHELL-THOMPSON asked for an Answer from the Treasury Bench to the Question of his hon. friend. Further, he would like to know would these words "in limitation" carry the case which had so largely figured in the debate, where a reduction had been made in the rent in order to allow for damage done by game.

MR. COURTHOPE asked whether, if there had been a limitation by a previous agreement, whether expressed or understood, that came within the wording of the Amendment. The Attorney-General had said that no such cases had occurred, but it had been stated that they occurred over and over again.

MR. URE said there would be two classes of agreement which would be void—one, an agreement that no compensation at all should be paid, the other that compensation should be limited to a specific sum. The clause would follow exactly the analogy of the Agricultural Holdings Act, 1900, in which it was declared that if there were, in a contract between landlord and tenant, a stipulation for a certain amount of damage to be paid by a tenant for committing a breach of the conditions of a lease, the sum so fixed should not be paid, but the arbitrator under the Act should assess the real damage done irrespective of the sum set out in the agreement. The arbitrator had a perfectly free hand to fix the amount of the damage, unhampered by any sum fixed or stipulated in the agreement.

SIR E. CARSON (Dublin University) said that if this clause stood as at present he should have thought it would have carried out the intention of the hon. Gentleman opposite, because it clearly said that any agreement that the tenants should not get compensation should be null and void. The words of the Attorney-General were in limitation of such compensation. Suppose after the damage had occurred the tenant complained that he had been seriously damaged by game, but said that he would take £20 in settlement, and the landlord, rather than have any bother, agreed to give the £20. Was such an agreement to be void? If it were it was obvious that no landlord would settle. He should have thought that to lay down that a tenant was entitled to compensation, and that any agreement to the contrary should be void was going quite far enough.

SIR W. ROBSON said that the agreements relating to compensation for proved damage were dealt with in a succeeding sub-section, but to make it clear the Government contemplated making an Amendment that would put the question beyond doubt. He was making Amendments on the suggestion of hon. Gentlemen opposite to meet their criticisms, but those Amendments were being met with equal opposition.

MR. A. J. BALFOUR asked Mr. Speaker's ruling on a point connected with the Amendments which had been proposed and were to be proposed on this section. They had discussed at considerable length this afternoon a question of whether a lease in which there was a reduction of rent on account of the presence of game on a farm was to be rendered void. His right hon. friend the Member for Shropshire had refrained from moving an Amendment on the point because there were Amendments to be moved later on from the other side in relation to the same matter. He wanted to know whether, if they passed the words "any agreement to the contrary shall be void," or the words as they were proposed to be amended by the Solicitor-General, they would be precluded from introducing words to safeguard existing agreements of a perfectly straightforward and fair kind, and which he thought both sides wished to safeguard. His right hon. friend had abstained from moving his Amendment on the understanding that an equivalent would be introduced later in the sub-section, but on looking at the matter he doubted whether his right hon. friend had not lost the only opportunity open to him, and that the Amendment would not meet the case.

*MR. SPEAKER said the matter dealt with by these words was not the same as those proposed to be dealt with by the hon. Member for Durham in favour of which the right hon. and gallant Member withdrew his Amendment.

SIR W. ROBSON said any Amendment of the nature referred to would be most properly raised under sub-section (2).

MR. WILLIAM RUTHERFORD took it that the Solicitor-General's Amendment would have the effect not only of making void any agreement under which the tenant was to have no compensation, but also of making void any agreement affecting the amount of the compensation to be paid to the tenant. This was a good illustration of the inconvenience of trying to deal with the Bill as if it were in Committee. Amendments were proposed which they had not had an opportunity of looking at, and which many hon. Members had the greatest difficulty in following. The Solicitor-General for England had put one interpretation on the Amendment and the Solicitor-General for Scotland had put another. He supposed they were to take the last explanation, namely, that it was not to be competent for the landlord and tenant between themselves to fix upon any sum as agreed compensation for damage. Therefore, although a perfectly reasonable agreement might have been come to, it would be held to be void under this section as amended, and the parties would have to go to arbitration whether they liked it or not. This would be the first time to his knowledge that two people who had a reasonable dispute and a reasonable right to agree upon the way in which that dispute should be determined and the sum to be paid had been deprived by Act of Parliament of the right to end the dispute. It was entirely inconsistent with the principle of the Bill. The Amendment under consideration had been moved entirely without notice, and they ought to protest against legislating in this way.

Question put.

The House divided:—Ayes, 294; Noes, 34. (Division List No. 384.)

AYES.

Abraham, Wm. (Cork, N. E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baring, Godfrey (Isle of Wight)
Barker, John
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W. C. B. (Hexham
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo
Berridge, T. H. D.
Bethell, J. H. (Essex, Romford)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire
Bolton, T.D. (Derbyshire, N.E
Boulton, A. C. F. (Ramsey)
Brigg, John
Bright, J. A.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn. Sir J. T. (Chesh.)
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Channing, Francis Allston
Cheetham, John Frederick
Churchill, Winston Spencer
Clough, William
Coats, Sir T. Glen (Renfrew, W.)
Collins, Sir Wm. J. (S. Pancras, W
Cooper, G. J.
Corbett, C. H. (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crombie, John William
Crooks, William
Crosfield, A. H.
Crossley, William J.

Dalmeny, Lord
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Delany, William
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Dolan, Charles Joseph
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Fiennes, Hon. Eustace
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gulland, John W.
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Hammond, John
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haworth, Arthur A.
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael

Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jackson, R. S.
Jardine, Sir J.
Jenkins, J.
Johnson, John Gateshead
Johnson, W. (Nuneaton)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.
Layland-Barratt, Francis
Lever, A. Levy (Essex, Harwich)
Lever W. H. (Cheshire, Wirral)
Levy, Maurice
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
M'Micking, Major G.
Marks, G. Croydon (Launceston)
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Nicholson, Chas. N. (Doncaster
Norman, Henry

Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien Patrick (Kilkenny)
O'Connor, James(Wicklow, N.)
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearson, Sir W. D. (Colchester)
Pearson, W.H.M.(Suffolk, Eye)
Philipps, Col.Ivor(S'thampron)
Pickersgill, Edward Hare
Pirie, Duncan V.
Price, C. E. (Edinb'gh, Central)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, T.F. (Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, SirG.Scott(Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A.H. (Ashton underLyne
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.)
Thompson, J.W.H.(Somerset,E
Tillett, Louis John
Tomkinson, James
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Villiers, Ernest Amherst
Wadsworth, J.
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Ward, John (Stoke upon Trent)
Ward,W.Dudley(Southampton
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Weir, James Galloway
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn(Carmarth'n
Williamson, A.
Wilson, Hn. C. H. W (Hull, W.
Wilson, J.W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord(Norfolk, Mid
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood,Rt.Hn.SirAlexF.
Anson, Sir William Reynell
Arkwright, John Stanhope
Balcarres, Lord
Balfour, Rt. Hn.J.A.(CityLond
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barlow,Percy(Bedford)
Barrie, H. T. (Londonderry,N.)
Beach,Hn.MichaelHughHicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave George
Cavendish, Rt. Hn. Victor C. W
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.
Chamberlain,Rt.Hn.J.A(Worc.
Coates, E. Feetham(Lewisham)
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Harrison-Broadley, Col. H. B.
Heaton, John Henniker
Hervey,F.W.F.(Bury SEdm'ds
Houston, Robert Paterson
Kennaway, Rt. Hn. SirJohnH.
Kenyon-Slaney,Rt.Hon.Cel.W.
Keswick, William
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Nicholson, Wm. G. (Petersfield
Pease,Herbert Pike(Darlington
Percy, Earl
Ratcliff, Major R.F.
Rawlinson, JohnFrederickPeel
Roberts, S. (Sheffield.Ecclesall
Salter, Arthur Clavell
Smith, Abel H. (Hertford, East
Starkey, John R.
Talbot,Rt.Hn.J.G.(Oxf'dUniv
Thomson,W.Mitchell-(Lanark)
Thornton, Percy M.
Valentia, Viscount
Wilson, A.Stanley(York, E.R.)
Younger, George

TELLERS FOR THE NOES—Mr. Watson Rutherford and Viscount Turnour.

And, it being Eleven of the clock, further consideration of the Bill, as amended, stood adjourned.

Bill, as amended, to be further considered to-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at two minutes after Eleven o'clock.

HOUSE OF LORDS.

Thursday, 8th November, 1906.

PRIVATE BILL BUSINESS.

Metropolitan Electric Supply Bill, reported, without Amendment.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against: of inhabitants, ratepayers in the parishes of Kislingbury; Weedon; Mountsorrel; Charwelton; Narborough; and Blakesley-with-Woodend; Buckland; Great and Little Chesterford; Ugley; Roydon; Rickling; and Quendon; of trustees of Church of England schools in Great Bowden.

Read, and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions for Amendment: of inhabitants of Duston; of parents or guardians of children attending the Church school in the parish of Charwelton; and St. Margaret's School, Manchester.

Read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

POPLAR UNION.

Report to the President of the Local Government Board on the Poplar Union, by J. S. Davy, C.B., Chief General Inspector of the Board. Presented (by Command), and ordered to lie on the Table.

THE DISTURBANCES AT THE NAVAL BARRACKS.

EARL CAWDOR: My Lords, I wish to put to the noble Lord the First Lord of the Admiralty a Question of which I have given him private notice—namely, whether he is prepared to make to your Lordships any statement with regard to the disturbances that are stated to have taken place in the Naval Barracks at Portsmouth.

***THE FIRST LORD OF THE ADMIRALTY (Lord TWEEDMOUTH)**: My Lords, my noble friend has asked me a very natural Question, the disturbances referred to having caused considerable anxiety to everybody. I am glad to say that since Monday there has been no recurrence of any trouble, and that the barracks now are perfectly quiet. The stokers have been certainly a very well-behaved class of recent years, and the men who have apparently been the cause of the disturbance are young men of not more than six months' service, who have been going through their preliminary training, and, therefore, are no yet imbued with the traditions of the Service. Directly these disturbances occurred a Court of Inquiry was ordered, of which Admiral Cross was placed at the head. That Court is now sitting, and I have to-day received a telegram stating that the Inquiry, which must necessarily be conducted in the most careful manner, will probably be concluded on Saturday. On the Report of the Inquiry further action will be taken, but pending the receipt of that Report the Admiralty consider that it would not be wise to go into detail as to the causes which led to the outbreak. Of course, after the Court of Inquiry has reported we shall be very ready to give any information possible.

THE SITTINGS OF THE HOUSE.

***THE LORD PRIVY SEAL (The Marquess of RIPON)**: My Lords, many Members of your Lordship's House have been commanded to a Chapter of the Garter and banquet at Windsor on Tuesday next on the occasion of the visit of the King and Queen of Norway. That will necessarily take away from the House several of those who desire to take part in the debates on the Education Bill In these circumstances I believe I should be consulting the wishes of the House if at its rising on Monday next I moved that the House adjourn till Wednesday.

LORD BALFOUR OF BURLEIGH: I presume there is no intention of taking

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

a fourth day next week and sitting on Friday?

*THE MARQUESS OF RIPON: Oh, no; the sacredness of Friday I desire to preserve during the remainder of this session.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to Order).

[The Earl of ONSLOW in the Chair.]

Clause 5:—

LORD ASHBOURNE proposed to amend the first subsection of the clause, so that it should read—

> "Where the owners of the school-house are dissatisfied with the action of the local education authority under Section 4, or as to the mode in which extended facilities are afforded, they may appeal to the Board of Education," etc.

He said it had been implied from the Government Benches that the changes made in Clause 4, especially the one making it mandatory on the local authority to grant the extended facilities, had rendered Clause 5, providing for appeals to the Board of Education, unnecessary. He did not agree with that view. The need to the owners of an appeal under subsection (1), and to the parents of an appeal under subsection (4), of Clause 5, had not been affected by the alterations in Clause 4, and he considered it would be a very serious thing for their Lordships at that stage to be asked to assent to a proposal for a substantial variation of that clause. They could not say exactly what might be the final shape of the Bill as it would leave their Lordships' House, but, taking the Bill as it stood with the changes that had been introduced, he felt that an appeal was needed, and that it would not be wise, prudent, or reasonable to divest those aggrieved, the owners in the one case and the parents in the other, of their right of appeal. There were many probable points of difference in regard, for instance, to the way the extended facilities were granted by the local authority, which would still render necessary the appeal to the Board of Education. He was quite willing to trust the local authority; he believed that in the majority of cases the local authority could be trusted. But in this world everybody was not an angel, and it was only fair that there should be some opportunity of revising and reconsidering mistakes which had possibly been honestly arrived at. This was an appellate section, intended to give an appeal to those who were dissatisfied and felt aggrieved, and he would very much regret if it were seriously interfered with and the right of appeal substantially taken away.

Amendment moved—

> "In page 5, line 4, to leave out from the word 'where' to the first 'the' in line 8, and after the word 'schoolhouse' to insert the words 'are dissatisfied with the action of the local education authority under Section 4 or as to the mode in which extended facilities are afforded, they.'"—(*Lord Ashbourne.*)

THE EARL OF CREWE: My Lords, I am very glad that the noble and learned Lord has brought this matter forward, because it undoubtedly is necessary to understand clearly how we stand with reference to the relations of Clauses 4 and 5 after the alterations which have been made by your Lordships in the former. As we introduced the Bill, an option was left to the local authority as to whether it should grant these extra facilities. If it declined, there was an appeal to the Board of Education, who might then do one of two things. They might proceed to issue an order which would ultimately, no doubt, have to be enforced by a Court of law; or, if they did not choose to do that, they might make special arrangements by which the schools should be carried on in a different manner as a State-aided schools. That was an appeal, and an appeal on a refusal. It appears to me that the noble and learned Lord, if he will forgive my saying so, has mixed up two things. He has mixed up points of dispute which may arise in the course of the arrangements with the refusal of the local authority to give facilities at all. I think it is undoubtedly the fact that the points which may arise during the progress of the arrangements are covered and dealt with by the Amendments which were inserted at the instance of the noble Viscount Lord Ridley yesterday, giving an appeal in cases where any difference of opinion arose.

THE MARQUESS OF SALISBURY: That Amendment the noble Earl refused to accept, and it was not pressed.

THE EARL OF CREWE: At any rate an Amendment to that effect was inserted at an earlier stage.

THE MARQUESS OF SALISBURY: That is true.

THE EARL OF CREWE: The noble Lord did not press his last Amendment. If your Lordships will refer to Clause 2, you will see that, as the clause now runs, the arrangements are not a question for the Board of Education at all, but for the Commission, and that all points of dispute which arise during the progress of the arrangements come before the Commission. These are the words—

> "If the local education authority fail to make an arrangement by agreement with the owners of the schoolhouse, the arrangement shall be made by the Commission appointed under this Act, and the provisions of this Act with reference to schemes shall apply to any arrangement made by the Commission.

This makes it unmeaning to have a concurrent appeal to the Board of Education during the progress of the arrangements. That, I think, will be clear to noble Lords.

I pass from the differences which may arise during the progress of the arrangement to the refusal of the authority to make any arrangement, but that is what is dealt with under Clause 5 as it stands. When the local authority refuses to make any arrangement we are surely recalled to the word "shall" which was inserted at the instance of noble Lords opposite. "Shall" makes it mandatory, peremptory, for the Board of Education immediately to proceed to see that the local education authority does not persist in its refusal, and to take legal steps in the matter. Surely "shall" is not compatible with the alternative of appeal. If the noble Lord inserts his words, or if this clause remains as it stands, you are in effect saying to the local authority, "You shall do so and so, but if you do not, you will not be obliged to, because the Board of Education may take steps to institute a different kind of school." It appears to me that what the noble and learned Lord will do if he inserts his Amendment is in effect to restore the word "may" in place of the word "shall." It appear there is no answer to that. Consequently, as far as regards sub-section (1), to which the Amendments of the noble and learned Lord apply, it involves a positive contradiction in terms, the word "shall" having been inserted, to leave this alternative possibility to be dealt with at the instance of the Board of Education. As regards the latter sub-sections, I think perhaps it would be wiser not to say anything upon them until they are reached.

*THE MARQUESS OF LANSDOWNE: My Lords, I think it is quite clear that this section will require re-drafting, whether exactly in the terms suggested by my noble and learned friend beside me or not is another matter. The noble Earl called our attention to the wording of Clause 2 of the Bill. Let me remind the Committee what that clause contains. Under that clause the local education authority is compelled to continue a school if it complies with two conditions. The school must be structurally fit, and it must be one required for the educational purposes of the locality; in other words, it must not be a superfluous school. There is no appeal in Clause 2 on either of those points. It is quite true that the clause does provide for the case of inability of the local education authority to come to terms with regard to the arrangements under which a school is to be taken over; there is an appeal to the Commission. But, upon the other point, the question of fact whether the two conditions are or are not complied with, Clause 2 does not provide an appeal, and in our opinion such an appeal should be provided. Then with regard to Clause 4. The noble Earl, I think, was under a misapprehension when he told the Committee that an Amendment had been inserted in the Bill for the purpose of providing an appeal on facts under Clause 4. I think my noble friend Lord Ridley had an Amendment framed for that purpose on the Paper, but I cannot find it in the print of the clauses as we have them before us. Therefore, there also, it seems to me, an appeal on the facts should be provided. Again, in Clause 4 I cannot find any provision for an appeal upon the kind of points which were raised by my noble and learned friend Lord Ashbourne—I mean points concerning the manner in which the facilities were or were not afforded.

THE EARL OF CREWE: That comes under the heading of sub-section (4), Clause 5.

LORD ASHBOURNE: That is only for parents. I want it for the owners as well.

THE EARL OF CREWE: I did not deal with that subject because I had no wish to discuss the question of State-aided schools at this stage.

*THE MARQUESS OF LANSDOWNE: I agree with the noble Earl that we had better not discuss the question of State-aided schools, now; but, putting that on one side, I do think that the question of the appeal provided under these different sections is one which requires the attention of the Committee.

LORD DAVEY thought the noble Marquess had not quite appreciated the effect of Clause 5. It was confined exclusively to the case in which the local education authority was dissatisfied with the arrangements offered by the owners of the schoolhouse and the school was one in respect of which extended facilities under Clause 4 were desired. When their Lordships struck out "may" and inserted "shall" in Clause 4 they completely altered the whole scheme of the clause, and, in his humble opinion, made nonsense of it. Clause 4, as originally framed, provided that the local authority might take a particular school where certain conditions were complied with, and Clause 5 enacted that, if the local authority declined to take that course, an appeal would lie to the Board of Education, who might do one of two things. Clauses 4 and 5 as they stood were certainly inconsistent. If the clause was mandatory the only question would be whether the local authority had taken the course prescribed or not. The substitution of "shall" for "may" in Clause 4 had made nonsense of Clause 5.

THE MARQUESS OF SALISBURY thought, with the greatest deference to the noble and learned Lord who had just sat down, that there was ground for an appeal to the Board of Education, notwithstanding their Amendment of Clause 4. There ought to be some means of settling whether the local education authority was right or not in the conclusion they came to—that was to say, whether they had satisfied the conditions. The view he took was that the appeal under Clause 5 had reference to a state of things before the existing voluntary school became a transferred voluntary school. In point of fact, it had reference, when the Government drafted their Bill, to an appeal from Clause 2 and not from Clause 4. The drafting of the Bill was a truly wonderful performance; but, so far as he had been able to make out, that was the meaning of the appeal under Clause 5. It was an appeal from owners who were dissatisfied with the decisions under Clause 2 and who intended their school to become an extended facilities school. He thought that, notwithstanding the alterations that had been made in Clause 2, they still wanted the appeal provided in Clause 5. In his opinion Clause 5 should be mandatory too. If the Board of Education were satisfied that the facts were as the appellants alleged it should be mandatory upon them to reverse the decision; and, when the proper time came, he would ask their Lordships to strike out "may" and insert "shall" just as they did in Clause 4.

THE EARL OF CREWE: My Lords, we have, I think, to some degree passed away from the point raised by the Amendment of the noble and learned Lord. That Amendment was taken exception to by me on the ground that, after having made it peremptory that the school should be taken over, it in the following clause left a discretion to a third party as to whether the school should be taken over or not. When you say a school shall be taken over it is not open to you to say it shall only be taken over in certain instances, and, therefore, as regards the latter part of the clause, on which we heard nothing from the noble Marquess who last sat down——

THE MARQUESS OF SALISBURY: I did not speak on that because it would have confused what I said.

THE EARL OF CREWE: So far as that part of the clause is concerned, it does seem seem to me impossible for it to stand part of the Bill in its present form. The school has to be taken over, but before it can be taken over certain conditions have to be satisfied, and it is upon those that the noble Marquess desires that an appeal should be lodged. His appeal, I take it, is only intended to run in the case of no arrangement being arrived at. That appeal, of course, exists in a form in our Clause 5 as it stands. What would have happened under our clause was this: the local authority refuses to take over a particular school on the ground that certain conditions have not been properly fulfilled; the Board thinks they have been fulfilled, and either makes an order or allows a school to become State-aided. What the noble Marquess wants to do, I take it, is to leave the first sixteen lines——

THE MARQUESS OF SALISBURY: I should ask to strike out "may" in line 9. There is a consequential Amendment down in the name of the noble Viscount on the cross benches, Lord Llandaff.

THE EARL OF CREWE: Leaving that for a moment, we are considering the Amendment of the noble and learned Lord, and I think it would be well to clear up the point as to what the noble and learned Lord proposes to do with his Amendment, whether he desires to strike out the words he proposes to strike out and to insert the words he proposes to insert.

LORD CLIFFORD OF CHUDLEIGH: Might I ask the noble and learned Lord to let us know how his Amendment will run?

LORD ASHBOURNE: It would read—

"Where the owners of the schoolhouse are dissatisfied with the action of the local education authority under Section 4 or as to the mode in which extended facilities are offered, they may appeal to the Board of Education, and that Board may"——

and then the clause proceeds as in the Bill.

THE EARL OF CAMPERDOWN said this would extend the action of Clause 5 and make it apply to any school.

LORD ASHBOURNE replied that the governing words were in Clause 4. He proposed to strike out the words in question in deference to the suggestion made yesterday by the noble Earl the Lord President of the Council, that the altered conditions following upon the changes that had been made necessitated some change in the drafting. He took that view, and had applied himself to the governing idea of Clause 5 that there should be an appeal to the Board of Education given to anyone who was dissatisfied with what had been done under Clause 4.

On Question, Amendment agreed to.

THE MARQUESS OF SALISBURY moved to substitute the word "shall" for "may," so as to make it mandatory on the Board of Education, if they found the facts as alleged by the appellants, to make an arrangement.

Amendment moved—

"To leave out the word 'may,' and insert the word 'shall.'"—(*The Marquess of Salisbury.*)

THE EARL OF CREWE: I understand that the noble Marquess considers this to be consequential on the insertion of the word "shall" in the preceding clauses.

THE MARQUESS OF SALISBURY: It is the same order of ideas, but it is not consequential in the Parliamentary sense.

LORD STANLEY OF ALDERLEY thought their Lordships had not a clear idea of what they were being asked to pledge themselves to. He felt inclined rather to wash his hands of the clause, but he would point out that a great deal of its natural force had gone in consequence of the Amendments that had been made in Clause 4. They were keeping alive unnecessarily matter which might perfectly well drop. The only part of Clause 5 which he thought really essential was sub-section (4). He wished to put in a word of *caveat*. Some noble

Lords seemed to have in their minds that by giving this appeal to the Board of Education the Board would be entitled to give some facilities which were not the legal right of the managers and owners of the school. He desired to point out that the Board would not have power to give anything more than those legal rights.

On Question, Amendment agreed to.

VISCOUNT LLANDAFF moved to omit the words—

"And, if they think fit, after considering the circumstances of the case, and the wishes of the parents of children attending the school as to the continuance of the school with extended facilities."

He said the Amendment now became purely consequential, and he would not trouble the Committee with any arguments upon it.

Amendment moved—

"In page 5, line 12, to leave out from the word 'school' to the word 'by' in line 15.'"—(*Viscount Llandaff.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to.

Consequential Amendment agreed to.

LORD HENEAGE moved to omit the words—

"But if under any special circumstances of the case the Board think it expedient, they may, instead of making such an arrangement make an order allowing the school to continue as a State-aided school."

He explained that he moved this Amendment with the object of obtaining information about the proposed State-aided schools. This was never explained in the House of Commons, the clause having been closured. He understood State-aided schools to be an alternative which the Board of Education might set up instead of schools under Clause 4. He could not help thinking that there would be a very strong inducement to establish these schools, because, unless he was mistaken, they would be neither fish nor flesh nor anything else, but a little of everything. They would be elementary schools in one sense, but they would not in another. They were to receive grants, but were not to receive rates; and, therefore, there was an inducement to the Board of Education to set up these schools instead of giving the facilities under Clause 4. He was, however, not at all certain on the point, as the clause had never been explained, and he therefore invited the noble Earl the Lord President to give the Committee some information on the matter.

Amendment moved—

"In page 5, line 18, to leave out from the word 'afforded' to the word 'provided,' in line 21."—(*Lord Heneage.*)

THE EARL OF CREWE: My Lords, I think I might perhaps postpone for the moment saying anything about State-aided schools as such, but I shall be quite willing subsequently to give the information asked for. I am compelled to support this Amendment in the interests of common sense and decent drafting. It is perfectly obvious that, owing to the changes which have been made, it is necessary in this connection for these words to come out.

THE LORD ARCHBISHOP OF CANTERBURY said he had not been able to follow clearly the effect of the changes made by Lord Ashbourne's Amendment in the earlier part of the clause. But what he understood to be the effect of the present Amendment was practically the disappearance entirely from the Bill of State-aided schools in any form.

THE EARL OF CREWE: Not from the Bill. Sub-section (4) still leaves them. We have not reached that yet.

THE LORD ARCHBISHOP OF CANTERBURY: Do I understand rightly that the effect of the Amendment will be the disappearance of the second of the two alternatives offered to the Court of Appeal to whom this matter goes?

THE EARL OF CREWE: Yes, that is so.

On Question, Amendment agreed to.

LORD CLIFFORD OF CHUDLEIGH moved to omit paragraph (*b*) of subsection (1)—

> "An arrangement made by order for the use of a schoolhouse under this provision shall not have effect for more than five years."

He could not understand the object of this sub-section inasmuch as, under Clause 4, any arrangement made and any permission given could be withdrawn at any time.

Amendment moved—

> "In page 5, line 25, to leave out from the word 'suitable' to the end of line 28."—(*Lord Clifford of Chudleigh.*)

THE EARL OF CREWE: It is obvious, of course, that this sub-section loses a considerable part of its importance by the alteration of "may" into "shall," because, if these schools are always to be taken over, it probably is not of very great importance how long each special arrangement lasts. We inserted this sub-section because we did not think it was right that, as these arrangements were always made against, so to speak, an objecting local authority, they should have effect for a term of more than five years.

LORD STANLEY OF ALDERLEY said that while the clause had passed out of the hands of noble Lords on the Ministerial side of the House he did not think it ought to be assumed that the striking out of this sub-section was unimportant. If these words were struck out the local authority would be under a perpetual obligation te keep up these schools, even though the conditions completely altered and the population changed.

LORD CLIFFORD OF CHUDLEIGH called the noble Lord's attention to subsection (2) of Clause 4, under which a permission given under that section might at any time be withdrawn.

LORD STANLEY OF ALDERLEY mentioned that in his own experience cases had arisen in which the School Board for London had accepted a great many transfers of voluntary schools which were structurally unsatisfactory and which, through changed conditions, were subsequently not required as elementary schools; but there was no power to retransfer them to the owners. If the words which Lord Clifford proposed to strike out were deleted the local education authority would be saddled with schools indefinitely, and would be under the obligation to keep them in repair. He would also point out that this Amendment, therefore, threw an additional charge on the rates.

LORD CLIFFORD OF CHUDLEIGH could not see why the noble Lord attached so much importance to sub-section (b) of this clause seeing that sub-section (2) of Clause 4 provided that—

> "A permission given under this section may be at any time withdrawn by the local education authority, if, after causing a ballot to be taken and holding a public local inquiry with reference to the matter, they think that the conditions on the strength of which the permission was given no longer obtain."

Surely if the permission was given on the strength of the building being structurally suited, and those conditions changed and the building was no longer structurally suited, they might then hold a public inquiry and withdraw the permission.

LORD STANLEY OF ALDERLEY said that several things might happen, and the conditions might so change as to remove any justification for maintaining the school under Clause 4, although the building might be structurally sound. His point was that there should be no obligation placed on the local authority to take over a school for an indefinite time and be saddled with it when they desired to get rid of it.

On Question, Amendment negatived.

THE EARL OF CAMPERDOWN moved to add the words—

> "But shall be renewable, or fresh arrangements for the same purpose may be made in a similar manner."

If His Majesty's Government would accept these words he would not detain their Lordships by giving his reasons for moving their insertion. He thought the reasons would be obvious.

Amendment moved—

> "In page 5, line 28, after the word 'years' to insert the words 'but shall be renewable, or

fresh arrangements for the same purpose may be made in a similar manner.' "—(*The Earl of Camperdown.*)

THE EARL OF CREWE: Is the noble Earl certain that the words are necessary after the changes which have been made?

THE EARL OF CAMPERDOWN could not say, but he was quite certain that they were necessary as the Bill originally stood. The arrangements were to last five years, but what was to happen at the end of that period the Bill did not say. In other cases where there was an arrangement of this sort the Bill did provide what was to happen. For instance, in Clause 1 there were these words—

> "And may as occasion requires renew any such arrangement or make fresh arrangements for the purpose in a similar manner."

Then, again, in Clause 9 the noble Earl would find a provision to the effect that—

> "On the expiry of any such provision the Board of Education shall have the same powers for renewing the provision or making a fresh provision for the like purpose."

As an arrangement had been made in these two cases it might lead to the argument, if no such words were inserted in the present clause, that Parliament had intended that at the end of five years nothing was to be done. He hoped the Committee would agree to the insertion of the words proposed.

THE EARL OF CREWE: It certainly struck me that the object with which the noble Earl moved his Amendment had already been met by the alterations made in Clause 5.

THE EARL OF CAMPERDOWN: Will the noble Earl tell me what they were?

THE EARL OF CREWE: As the Bill was introduced an arrangement could only last for five years. At the end of five years the original conditions—the ballot and the inquiry—had to be repeated. It was only in the first arrangement that the particular kind of appeal, with its choice of State-aided school under Clause 5, came into operation; it would not have come into operation at the second attempt. But now, as I understand, the school always has to be taken over if the conditions are fulfilled. Therefore, it is quite unnecessary for the noble Earl to insert his words. It seems to me now that if you can only show that you have a majority of the children the school automatically goes on.

THE EARL OF CAMPERDOWN: Then I ask, what is the use of retaining subsection (*b*), which says that the arrangement is only to go on for five years? You cannot have it both ways.

THE EARL OF CREWE: I do not want to have it both ways.

LORD STANMORE said that whether the noble Earl's Amendment was strictly necessary or not, it certainly made the clause much clearer, and therefore, if the noble Earl went to a division, he would vote with him.

THE EARL OF CREWE: I have no desire to divide against the noble Earl if he wishes to insert the words. My point was that they are superfluous.

On Question, Amendment agreed to

VISCOUNT LLANDAFF moved the omission of sub-section (3) which ran—

> "An appeal under this section shall not be entertained unless it is made before the first day of January, 1908."

He thought the noble Earl in charge of the Bill would admit that this sub-section was now unsuitable. The clause now gave an appeal against malfeasance on the part of the local education authority in the course of the extended facilities. Therefore, it was obvious that the appeal must go beyond the first day of January, 1908.

THE EARL OF CREWE: The noble Viscount is quite right. In remodelling the clause this is one of the limbs which have to come off.

*THE LORD ARCHBISHOP OF CANTERBURY said he did not profess to follow the effect of the somewhat complicated verbal changes that had been made in the earlier part of this clause, but, though they were told the sub-section was now useless, he would like to know what it meant originally. It was an extremely technical and difficult matter to understand the Government's original intention. The arrangement between an education authority and the owners of a school was to be made for five years, and then followed the provision that an appeal should be made not later than 1st January, 1908. It seemed to him that those who got the extended facilities would simply be at the mercy of an unfriendly local authority at the end of five years.

THE EARL OF CREWE: It requires a powerful imagination to picture how the clause would look in its original form, but I can answer the right rev. Prelate by saying that his interpretation of what would have happened is no doubt the correct one. As originally intended, the scheme of the Government was to leave this matter to the option of the local authority altogether, but it was brought to our minds and impressed upon us that it would be reasonable to introduce the kind of appeal which we gave under Clause 5 in consideration of the state of feeling which exists about these matters at this moment. All these questions have been made matters of very acute controversy, and it seemed to us that in the limited time before 1st January, 1908, the fires of that controversy might not altogether have been extinguished, and that hardship might have resulted to those who desired these facilities if an option was left entirely to the local authority. But five years hence—I trust in a much shorter space of time—we are in hopes that this unfortunate condition of things will no longer exist, and we did not think it right to interfere with the complete option of the local authority so far as the continuance of the school after that period.

*THE LORD ARCHBISHOP OF CANTERBURY said he now understood that it was in contemplation by the Government, as Clause 4 originally stood, that after five years it would be in the absolute power of the local authority to bring the arrangement to an end without reason assigned, and that against such a decision there could be no appeal. If that was the original intention of the clause their Lordships had certainly been quite right to make the change. He was quite sure the true position was not understood in the country. When they were told that Clause 4 safeguarded denominational schools, when they were told that special facilities could so readily be obtained, they were not told that all this might come to an end at the will of the local authority in five years. This was a point of supreme importance. He was thankful that he had elicited the explanation, and was sure it would be a revelation to the Committee and the country.

On Question, Amendment agreed to.

LORD CLIFFORD OF CHUDLEIGH moved to leave out sub-section (4) which ran—

"The parents of at least twenty children attending a transferred voluntary school, if aggrieved by the mode in which extended facilities are afforded by a local education authority may appeal to the Board of Education, and that Board, if satisfied, after considering the circumstances of the case, that there are reasonable grounds for the appeal, may make an order allowing the school to continue as a State-aided school, and providing so far as necessary for the cancelling of any arrangement made with respect to the transfer or use of the schoolhouse and for any other matter for which provision is required in connection with the order.

He said that he personally, and many of those who thought with him, objected to this sub-section, but they could quite see that it might be amended and put into a form which would be less objectionable. The whole question of State-aided schools was one upon which they did not look with any great favour, and for that reason he moved the omission of the sub-section.

Amendment moved—

"In page 5, line 35, to leave out Sub-section (4)."—(*Lord Clifford of Chudleigh.*)

THE EARL OF CREWE: This is the remaining sub-section which deals with the possibility of starting State-aided schools. Your Lordships will remember that the noble and learned Lord opposite, Lord Ashbourne, introduced and carried an Amendment to sub-section (1) of this clause providing that where the owners of the schoolhouse are dissatisfied with the action of the local education authority under Section 4, or as to the mode in which extended facilities are afforded they may appeal to the Board of Education. That would enable the Board of Education to enforce an order upon them. As this clause stands it allows the parents of twenty children who are aggrieved by the mode in which facilities are afforded to do something else, not to appeal for an order from the Board of Education, but they may appeal to have the school turned into a State-aided school.

LORD ASHBOURNE: The words are "may appeal;" nothing else.

THE EARL OF CREWE: I think if the noble and learned Lord will read on he will see that the appeal applies only to the turning of the school into a State-aided school.

LORD ASHBOURNE: If it is found that the complaint is reasonable and the case has been made out, instead of saying that matters are to be put rightt you say, "We will turn you into a State-aided school."

THE EARL OF CREWE: The question which we have to consider is really whether it is desirable, as your Lordships have altered the Bill, for the State-aided school to remain. My noble friend opposite, Lord Heneage, asked what the State-aided school was. A short biography of it is given in the next subsection. It is a school instituted by the order of the Board of Education, it receives no rates but is able to receive grants in spite of its not being an elementary school in some respects, and it would not be under the management of the local authority. The position of the school would be, in effect, very much the position of a voluntary school before the Act of 1902—subject to this: my right hon. friend Mr. Birrell in another place, when asked if he would allow a school of this kind to come under what is known as one man management, said—

> "No; arrangements would be made for its management somewhat on the lines of what is known as the Kenyon-Slaney Clause in the Act of 1902."

It becomes a question of course, whether, after what has been done in respect to the Bill, there is any substantial reason for retaining the State-aided school at all. I think if your Lordships were to see the clause as amended in print it would be regarded as a somewhat remarkable conclusion, whereas the owners might at any time apply to have the local authority forced into conducting the school in a particular way, the parents should have this singular appeal to turn the school into a special kind of school.

The friends of noble Lords opposite have made rather merry, I believe, over the State-aided schools. We were told that we are multiplying an indefinite number of varieties of schools, and getting further and further with every Amendment from a national system. I am absolutely prepared to defend the existence of these State-aided schools in our Bill as introduced, but I think it becomes a serious question for the Committee to consider whether, in the shape in which the Bill now stands after your Lordships' alterations, it is advisable to retain the section at all.

VISCOUNT HALIFAX pleaded on behalf of many denominational schools in the villages where the teachers had given the religious instruction with complete satisfaction. Unless something was done with sub-section (*b*) of Clause 4, unless some security was taken that Clause 4 would be really available, these schools would be turned into undenominational schools, and the teachers would not be able to give the teaching they had hitherto given. He urged, therefore, that this clause ought to be allowed to remain until it was seen in what final shape the Bill emerged, and until an opportunity was given on Report of reconsidering sub-section(*b*) of Clause 4.

VISCOUNT LLANDAFF said this clause was certainly one of the most remarkable in the Bill. If a local authority unduly limited the extended facilities an appeal might be made to the Board of Education, but the Board of Education on the appeal had no right to say that the facilities ought to be given, and might shunt the school off on half-pay by making it a State-aided school. That was a most extraordinary perversion of justice. Another difficulty was that, as far as he could see, these State-aided schools would have no manager. They would not be provided schools, nor would they be deemed to be provided schools. Consequently the local education authority would have no power to appoint managers. On the other hand, the noble Earl proposed in the schedule of the Bill to repeal the section of the Act of 1902 which enabled foundation managers to be appointed, together with managers representing the local authorities. Consequently the existing managers would no longer have any *locus standi*, and he was at a loss to see how any managers at all could be obtained.

LORD HENEAGE said there was not only the question of managers, but the question of teachers. He would like to know who was going to appoint the teachers in these State-aided schools. The local authority had no power to appoint them because they had no power whatever over the schools, and the managers would have no power because there would be no managers.

LORD AVEBURY spoke of the importance of retaining the State-aided schools. The principal consideration before their Lordships was the question of religious teaching, but, at the same time, although economy might not be so important, it was a matter they could not afford altogether to ignore, particularly at a time when the rates were increasing so rapidly. He knew cases in his own neighbourhood where voluntary schools had been formed, not with any view of theological teaching, but in order to avoid in some parishes the expensive arrangements necessary for the formation of school boards. In many cases those schools had worked with entire satisfaction, and he trusted on that account, and also in the interest of variety in education, that some State-aided schools might be preserved.

THE EARL OF HALSBURY thought the provisions in regard to the appeal were grotesque. Instead of giving to the owners of the school, or the parents who appealed to the Board of Education the satisfaction they required, these provisions gave them something for which they did not ask—a State-aided school. That would be but a poor consolation to the parents or owners.

LORD STANLEY OF ALDERLEY said he could not support the retention of State-aided schools on the ground put forward by Lord Avebury. After all, this Bill did not recognise either intellectual variety or the desire to avoid the machinery of the school board as a ground for parting off a school into this category; it recognised merely the ground that the school was one of a strictly denominational character. The object of the clause was to provide a safety valve and some means of relief to those persons who were very tenacious as to the character of their schools. It was a sort of solatium, an opportunity to people who were not happy under this national system to escape out of it. He instanced a school in Wapping where the clergy in charge, not satisfied with the Act of 1902, withdrew their school from any Parliamentary aid because they would not admit even a modified control by the ratepayers. That school was now a certified efficient school, the whole of its cost falling on the managers. The sub-section afforded a refuge, a sort of Zoar, for those who desired to withdraw from their citizenship, to stand apart from the nation, to live their own lives, and he thought that from that point of view it might be well to retain it in the Bill. He believed the underlying motive in the minds of noble Lords who wished to strike out the subsection was that without this refuge for people who felt that the local authority were not treating them as they had expected there would be a stronger argument for exacting better terms from the State under the local authority.

LORD COURTNEY said that, apart from the question of expediency, in the circumstances in which they were now placed it was impossible to retain this subsection. Let them just consider how they stood. They had given to the owners of the school a right to appeal to the Board of Education against what they conceived to be the improper action of the local authority, and in that case the Board of Education had no alternative but to force the local education authority to give the extended facilities. There was no discretion whatever. But here they had the parents of the children appealing to the same authority, it might be on the same state of matters, and the Board of

Education was to have an alternative plan of action. The two appeals might be made simultaneously; the Board of Education was bound to speak in one way in the case of one appeal, but it would have the option of speaking in either of two ways in the case of the other. Therefore the sub-section could not be retained.

VISCOUNT ST. ALDWYN said it might be but a poor consolation to the owners of the school or to the parents of the children attending it that as the result of their appeal to the Board of Education against the action of the local authority they should get nothing but State aid and be deprived of all assistance from the rates. But surely it was better than nothing at all. Even supposing those schools got nothing but State aid they would be in no worse position than they had been before the Act of 1902. It might be said that the subscriptions they received before the Act of 1902 had now ceased and that they would have nothing to hope for from private resources. But he did not think that difficulty would have to be faced in many cases, and certainly not in all. Recent events had shown that it was extremely difficult for the Board of Education to deal with unreasonable local authorities, and precisely the same conditions might arise under the Bill as amended. The sub-section would be a safety valve against unfair dealing by a recalcitrant local authority, and he hoped their Lordships would not reject it.

THE DUKE OF NORFOLK said that to many of them it appeared that what was described by the noble Viscount as a safety valve was really little better than a trap. He thought anyone who had listened to the clear observations of the noble Viscount would feel that it would be to the interest of the local authority to be extremely nasty to the school in order to drive it off the rates, and, when the school so treated went to the Board of Education for redress, the Board was provided with a convenient way of shelving what would admittedly be a great difficulty in its path. He was not suggesting what might have been in the minds of the Government when the clause was placed in the Bill, but he thought they were in a very great danger in the future of being driven out into the arid plain in which they were before the Act of 1902, and of finding such schools treated as inferior schools. In reply to the observations of Lord Stanley of Alderley, he would remind the Committee that Roman Catholics had no wish to stand out of the national life or to avoid the duties of citizenship, but they were determined in regard to this Bill to demand their just rights.

THE LORD ARCHBISHOP OF CANTERBURY was very anxious to support the view taken by Lord St. Aldwyn. He for one had never understood that the security for denominational schools of a marked type against a hostile authority was only to last five years, and he held that this announcement created a new situation. But he was anxious on quite other grounds to maintain a place in our educational system for State-aided schools. He was certain that the time, if it had not yet come, was speedily coming when the idea of uniformity would give way to the idea of elasticity and variety in our educational system, and he should be exceedingly sorry if they were to lose what seemed to be an opportunity of obtaining a new type of elementary school. Such schools, he believed, were capable of development on most wholesome lines. In Scotland some 11 per cent. of the most efficient and most belauded elementary schools were State-aided schools, and Scotland in educational matters was far ahead of England. He hoped their Lordships would not shut the door on wholesome variety in our educational system. Of course, they must guard against such schools being inferior, and he was ready to acquiesce in the stiffest possible tests the education authority liked to lay down. He should be prepared to propose in a new clause the conditions under which the State-aided schools might take an honourable and an effective place in our system.

*THE MARQUESS OF LANSDOWNE: My Lords, for the reasons which the most rev. Primate has just given to the Committee, I should be sorry to see this Bill amended in such a way as to shut the door entirely in the face of the creation of these State-aided schools. The principle seems to me to be defensible, but I hope the noble Earl will forgive me if I say that the manner in which it is applied in the Bill as it stands seems to me to be little short of outrageous. We have had no answers to the speeches made by my noble friend Lord Llandaff and by the noble and learned Lord beside me. They showed the extraordinary manner in which this provision as to State-aided schools will operate. You will have the case of a school which has surmounted all the obstacles set up in its way under Clauses 2 and 4 of this Bill; you will have a school which has exhausted its rights of appeal and exhausted them successfully, which has satisfied the Court of Appeal that its case is a perfectly sound one, but which, nevertheless, has to be put off, not with the satisfaction of its demands, but with this little Zoar, as it has been described, of a State-aided school. That seems to me absolutely and entirely unjust. The terms seem to me to be terms which it would be impossible to impose upon reluctant parties, and I hope if this sub-section is to remain in the Bill your Lordships will amend it in such a way as to deprive it of some at all events of its injustice. There are Amendments upon the Paper which would have that effect.

If your Lordships will look at the Amendments which stand in the names of Lord Clifford of Chudleigh and of Lord Llandaff, you will see that if they were added to the clause their effect would be that the Board of Education when it had disposed of the appeal would, if it was satisfied, issue an order showing in what manner the extended facilities might be carried out.

I do not see any objection to adding, in the form of an option, words which would allow of an offer being made to the owners of the school the acceptance of which would put them in the position of being able, if they pleased, to content themselves with the position of a State-aided school. If these two mitigating conditions were made in the sub-section, my objection to it would be largely diminished; but the clause as it stands seems to me one of the most iniquitous suggestions it has ever been my fate to consider.

THE EARL OF CREWE: I am sorry the noble Marquess has complained that no reply had been made to the noble Lords who had spoken. I was merely waiting in order to make one reply to all the points raised. The noble Viscount on the Cross-Benches was horrified at the fact that this appeal under sub-section (4) merely related to the possibility of the school becoming a State-aided school, and that it did not involve the possibility of a mandate being issued to carry on the school in a particular way. The noble Viscount, I think, must see that that was part of our policy as a whole. The general structure of these clauses is perfectly well known to noble Lords. They know that we did avoid putting an original obligation on the local authority even to start these four-fifths schools.

The noble Lord opposite, Lord Heneage, asked me a question about the managers. If the noble Lord will look at line 14 on page 6, he will see that the Board of Education may impose on State-aided schools—

> "Such other conditions as they prescribe as conditions for the payment of the grant."

One of those conditions would naturally be the appointment of a properly-constituted body of managers; the arrangements would naturally be made in the Code, a particular chapter of which, if the Bill passed in this form, would be devoted to a description of what should be done in the case of State-aided schools. We do not propose to put these particular provisions in the Bill.

The noble Earl, Lord Halsbury, said this was a very small kind of concession to give, and that it really hardly amounted to an appeal at all. As my noble friend behind me (Lord Stanley of Alderley) said quite truly, it is intended as a solatium under terms of particular difficulty. When the noble Marquess who spoke last alluded with horror to the circumstances under which this particular concession might take place—namely, that schools would have fulfilled all the conditions required by the clause and all the rest of it—he was contemplating exactly the case which the noble Viscount contemplated might happen even under the Bill as amended by the noble Lord opposite.

The noble Duke and some other noble Lords opposite seemed to think that these State-aided schools were something in the nature of a Greek gift—that something unpleasant lay behind it. That would apply equally to the Bill of the Government and to the Bill of noble Lords opposite as I am obliged now to call it. The noble Duke seemed to think that they would be a temptation to local authorities to behave badly, but for myself I believe that with most local authorities the desire to keep control over the school will be a stronger operating motive than the desire to save the rates on that particular school. I do not believe that local authorities, as a rule, would desire to drive the schools out of their jurisdiction. I think they value their hold over them far too much to be influenced greatly by the few hundreds of pounds which might be saved to the rates.

The most rev. Primate adumbrated the possibility of a very considerable system of State-aided schools throughout the country, and I understood that he by no means desired to confine it to the schools contemplated by the Government which for one reason or another could not obtain these facilities. I think it is necessary in considering this matter to proceed very cautiously. It is quite true that a small number of State-aided schools might very reasonably be carried on and that a high standard might be attained in them without suffering any intolerable strain. But once you attempt to multiply them to any considerable extent you will be confronted with, I am afraid, very considerable danger. If you contemplate a return to any extent to the system which prevailed before 1902, you must beware that you do not find yourselves in conditions which, in the opinion of noble Lords opposite, made the Act of 1902 necessary. It is an undoubted fact that in the case of a good many voluntary schools before 1902 the Board of Education, in order to avoid inflicting a real hardship upon them and closing a good many, had to adopt a somewhat lower standard of general efficiency than they insisted on in the case of board schools.

The Earl of Crewe.

I agree with the most rev. Primate that it is quite possible, if these schools are limited in number in the manner we contemplate, to insist on a high scale of efficiency, but if they become numerous I doubt whether that could be done. It must also be remembered that these schools will have to depend to a certain extent on private subscriptions, and it is obvious that the more you multiply them the less that money is likely to go round, because I do not think the amount of money available is at all likely to increase in proportion to the number of schools, and consequently you would run the risk of a number of them becoming starved. As to the question immediately before the Committee, whether or not the clause should be retained, I have a very open mind on the subject. If noble Lords opposite desire to leave it I shall raise no objection.

LORD CLIFFORD OF CHUDLEIGH said he could not but regard these State-aided schools as a very considerable danger, and he should hold himself perfectly free to bring the matter up again. A considerable amount of the danger, had, he thought, been removed by an Amendment previously introduced, and other Amendments to be moved later might still further reduce it. In the circumstances he would ask the leave of the Committee to withdraw the Amendment.

Amendment, by leave, withdrawn.

LORD ASHBOURNE moved an Amendment with the object of enabling the Board of Education to make an order "how the said extended facilities should be carried out" as an alternative to allowing the school to continue as a State-aided school. At present, in the event of the Board of Education deciding on appeal that the complaint was well founded, they had only power to say, "We will translate you into a State-aided school." To remedy that he begged to move the Amendment standing in his name, which he hoped their Lordships would accept as reasonable.

Amendment moved—

"In page 5, line 40, after the word 'order,' to insert the words 'how the said extended facilities should be carried out, or.'"—(*Lord Ashbourne.*)

THE EARL OF CREWE: My Lords, I am afraid I cannot agree with the noble and learned Lord that his Amendment is a reasonable one. We differ from it; but it is only another step in the process of making these things mandatory and bringing them in the last resort before a Court of law.

LORD ASHBOURNE said that all he asked was that the Board of Education, in the exercise of its judicial discretion, might be empowered to say how the remedy was to be effected. Surely that was not mandatory. As the clause at present stood they could only make an order for a State-aided school.

*LORD STANLEY OF ALDERLEY said in this case also noble Lords seemed to suppose that the Board of Education would be able to order the local authority to do that which they had no legal right to do. That was not the case. If there were no teachers of one denomination in the school, were the Board of Education to order the local authority to appoint those teachers? And supposing the teachers refused to give the religious teaching, were the Board of Education to be asked to make an order to substitute other teachers? What it came to was this, that they were driving a coach and six through all the protections in the Bill.

THE EARL OF HALSBURY said the Board would have power to order that the local authority should do that which they were required to do by law. The appellants would have to make out that the local authority were not doing that which they were by law required to do.

THE EARL OF CREWE: The point is not the fact of the affording of the extended facilities; it is the mode in which the extended facilities are afforded. It is conceivable that a disagreeable teacher may be appointed, or the children may be put into a dark room. The remedy could not be enforced by a Court of law.

THE EARL OF HALSBURY said that in all such cases the Court would give a reasonable interpretation of that which was enacted. To take the example given by the noble Earl, if it were laid down by statute that certain facilities should be given and the local authority thought proper to put the children in a dark room where they could not read, the Court could take action in such a matter. If facilities were to be given they must be given in a reasonable and appropriate manner, and the Court could apply the remedy. The noble Lord opposite appeared to have forgotten that before compulsion could be brought to bear on the local authority the appellant must make out his case that they were not doing that which by law they were bound to do, namely, to give such facilities as were appropriate to the occasion.

THE LORD BISHOP OF ST. DAVID'S supported the Amendment. He said the Lord President of the Council had illustrated the profound difference between the point of view of the Government and the point of view of noble Lords opposite and of the man in the street who loved justice. They had the authority of noble and learned Lords opposite that there was no precedent in the statute law of this country for an appeal of the kind proposed in the Bill. The clause illustrated the contemptuous colouration of justice which the Government countenanced.

On Question, Amendment agreed to.

VISCOUNT LLANDAFF moved an Amendment to provide that the Board of Education might make an order "if the owners of the schoolhouse consent." It appeared to him that this was essential to the justice of the case. He thought it possible that on Report it would be found most convenient to have one clause giving the owners of the school, if they thought fit, power to ask that the school should be turned into a State-aided school. That would meet the views of noble Lords who had spoken. At any rate, his Amendment stipulated that no school should be made a State-aided school without the consent of the owners.

Amendment moved—

"In page 5, line 40, after the word 'may' to insert the words 'if the owners of the schoolhouse consent.'"—(*Viscount Llandaff.*)

THE EARL OF CREWE: My Lords, the circumstances under which this appeal was originally placed in the Bill, as the noble Viscount is aware, were simply these. If a certain number of parents were aggrieved at the manner in which the facilities were afforded they could have the school handed over as a State-aided school. No doubt it may seem rather a strong measure to alter the character of the school in this way without the consent of the owners; but the noble Viscount must consider the reverse instance, where the owners might conceivably be indifferent to the manner in which the facilities were afforded, and the parents therefore would be left with their grievance.

VISCOUNT LLANDAFF said that after the addition which had just been made the parents would not be left with their grievance, as they would have the advantage of the jurisdiction of the Board of Education.

On Question, Amendment agreed to.

Moved, "That Clause 5, as amended, stand part of the Bill."

EARL CAWDOR referred to the statement made by the Lord President in reply to the most rev. Primate in regard to sub-section (*b*) of the clause as it originally stood. If there was one thing that was paraded up and down the country by supporters of the Government in reference to denominational teaching it was the four-fifths provision under Clause 4. The country was told that under that provision Catholic schools would be safeguarded, and that every distinctly denominational school would continue its teaching, preserve its religious atmosphere, maintain its teachers, and go on as now. Such statements were freely made and no doubt soothed the anxiety of many minds with the belief that the rights of those schools would be secured. They now knew from the statement made that night what security was offered by the Government. In five years that security would be gone and the schools would be absolutely at the mercy of the local authorities. This was a strange awakening when they remembered the protestations of the Government. He called attention to this, and hoped it would be noted by the Committee and the country at large.

THE ARCHBISHOP OF CANTERBURY reminded the Lord President of a technical point that arose upon the apparent contradiction between the grants to State-aided schools which were not public elementary schools, and the provision in the Act of 1870 that grants should only be made to public elementary schools.

THE EARL OF CREWE: My Lords, the most rev. Primate is quite right in saying that I promised to deal with this matter when we reached this clause, and I only hope he did not think I passed it by too curtly on that occasion. It really is only a technical point. It is true that the clause in the Act of 1870 states that in order to obtain a grant a school must fulfil conditions which would not be fulfilled by these new schools, but, if the most rev. Primate will look at the last line but one of the clause, he will see that the Board of Education can treat these schools as public elementary schools for certain purposes, and for "any other purpose which may be prescribed." That is held to include the payment to them of a grant. It may seem surprising to the most rev. Primate, but that is the case. It is held that that can sufficiently entitle them to receive a grant. If the most rev. Primate is anxious to see the words altered, the same result could be achieved in another way. Instead of saying "notwithstanding anything in this Act," you could say "notwithstanding anything in this or any other Act;" but, as a matter of fact, I am informed that the other is sufficient.

VISCOUNT GOSCHEN asked if no reply was to be made to his noble friend Earl Cawdor. Did the Government propose to accept in silence and without any explanation the statement in which his noble friend, following the most rev. Primate, had shown that the security for Clause 4 schools had only been intended to last five years? Was the country to understand that this was the permanent security offered? Perhaps the Leader of House would have something to say on the point? Might he ask some reconsideration of the question by the Government, and that the security of Clause 4 schools should not be limited to the security of a five-years lease.

THE EARL OF CREWE: My Lords, I cannot, of course, resist the appeal of the noble Viscount opposite. I do not know that anything that was said by the noble Earl calls for any special explanation or reply, but in answer to the noble Viscount I say that undoubtedly His Majesty's Government will, as he asks us to do, carefully consider the whole question raised. I do desire, however, to point this out, that the indignation of noble Lords seems to me a little singular, as this fact has been staring them in the face ever since the Bill was printed. I said nothing to-day to spring this announcement on the Committee, and if noble Lords will look at sub-section (3) they will see it stated that an appeal under this section could not be entertained unless made before the 1st day of January, 1908. It is, therefore, perfectly obvious that it could only be made on the first application.

THE MARQUESS OF LONDONDERRY said he heard with satisfaction the undertaking given that the Government would reconsider the matter. On the Second Reading he stated his opinion that the facilities under Clause 4 would prove illusory, and the more they examined them the more he felt he was justified in making that statement. It was now proved that the concessions were not concessions at all, and that no reliance could be placed in the promises held out by Members of His Majesty's Government and accepted by the country. He asserted with confidence that the concessions in Clause 4 were made entirely for the Jews and the Roman Catholics, and were made, he thought, at the instigation of the noble Marquess the Leader of the House. He therefore thought they were entitled to ask the noble Marquess not to leave the Committee in the dark as to the intention of the Government in regard to these facilities.

THE MARQUESS OF RIPON: My Lords, I have nothing to add to what fell from my noble friend the Lord President of the Council. My noble friend said that this question would be carefully considered by His Majesty's Government, and so it shall be.

EARL CAWDOR said it was not a question of what His Majesty's Government on reconsideration might do, but what their intention had been all along. The point was that the Government had held out all along the promise that the rights of the Clause 4 schools would be safeguarded. From one end of the country to the other that had been declared, and only that night had they heard that the security was to last for five years only. It was the false issue put before the country and only cleared up now that he complained of.

On Question, Clause 5, as amended, agreed to.

Clause 6:—

VISCOUNT LLANDAFF moved to omit the words—

> "But nothing in this section shall be construed so as to apply the provisions of this Act allowing an appeal to the Board of Education in cases where a local education authority refuse to make an arrangement as respects the use of the school-house of an existing voluntary school."

He explained that he moved this Amendment in order that the building of future schools should not be hampered. According to the view of His Majesty's Government, not only were existing schools to lose their security after five years, but future schools were to have no security at all. They were to be absolutely at the disposal of the local education authority, and the appeal which was originally limited to 1st January, 1908, for existing schools was not to arise at all in the case of future voluntary schools. These schools were to depend entirely on the local authority with no appeal from their decision. Inasmuch as the Committee had struck out sub-section (3) of the previous clause, it seemed to him to follow that they should strike out these words, which took away appeal from all future schools.

Amendment moved—

> "In page 6, line 27, to leave out from the word 'school' to the end of the clause."—(*Viscount Llandaff.*)

THE EARL OF CREWE: My Lords, this question of new schools is one which has no doubt excited a considerable amount of feeling, and it is obvious, I think, that noble Lords cannot be expected entirely, holding the views they do, to agree with the method in which we deal with them. It is no doubt perfectly true that we do not place any compulsion upon local authorities to take over these new schools. Of course, we do nothing whatever to prevent local authorities doing so, and we believe that, where there is a real demand, in very nearly all cases they will do so. They would be specially likely to do so in the particular cases in which the noble Viscount is interested, namely, those of the four-fifths schools, and I think it stands to reason that that must be so. Noble Lords will see that where a school is erected and obtaining a due proportion of children, if the local authority takes it over as a four-fifths school they escape the payment of rent, and, in other words, save the interest on the money which they would have to expend in building a school for themselves. That, of course, would not apply to schools coming under Clause 3.

Where, owing to the starting of large new works in a district, a great colony of labourers settles down, it is very likely that the Roman Catholic Church would desire to see a school there. If they built a school and the school was needed, and it was carried on, it appears to me there is every prospect, for the reason I have stated, that it would be taken over as a four-fifths school. But we do insist, and here we differ from the Amendments of the noble Lord and the right rev. Prelate, that the school must be a going concern before it is taken over. That would be a test in the first place of the absolute *bona fides* of the denomination, and would also show that the children were available for filling the school. We are not disposed to interfere with the discretion of the local authorities in this particular, or to place any compulsion upon them to take over new schools.

THE MARQUESS OF SALISBURY pointed out that the noble Viscount on the cross benches had moved to omit the words "but nothing" to the end of the clause, but had not indicated that he intended to move any words in their place. He presumed that the present Amendment was preliminary to the next two Amendments on the Paper, standing in the names respectively of Lord Clifford of Chudleigh and the Bishop of Oxford.

THE EARL OF CREWE: I suggest that it would be advisable that the noble Lord and right rev. Prelate should make their observations on their Amendments at the present stage. They all refer to one subject.

THE MARQUESS OF SALISBURY continuing, said the observation of the noble Earl that he could not agree to the proposal unless the school was what he called a going concern was a very plausible one. But nothing they were seeking to enact would make it necessary that public money should be expended unless the school turned out to be a fully efficient public elementary school and fully entitled to the grant. He therefore did not see that there was any great substance in the noble Earl's objection. As to which form of words, those to be proposed by his noble friend Lord Clifford of Chudleigh or those standing in the name of the right rev. Prelate the Bishop of Oxford, was the best that was another matter. Personally he was inclined to prefer the form of the Bishop of Oxford's Amendment. Both Amendments approximately sought to do the same thing and only differed in small details.

LORD CLIFFORD OF CHUDLEIGH, in accordance with the suggestion of the Lord President of the Council, then submitted his Amendment as follows—

"In page 6, line 27, to leave out from the word 'school' to the end of the clause and to insert: (2) The local education authority shall not refuse to take over and conduct as a public elementary school provided by them, any elementary school which the Board of Education may have certified as necessary on the application of the owners of the schoolhouse, and of the parents of not less than fifty children in an urban district, or of not less than thirty children in a rural district for whom the school is intended, and for whom no sufficient provision exists, having regard to the religious belief of the said parents. (3) The Board of Education shall determine as to the necessity of any proposed elementary school on the application of the persons proposing to provide the schoolhouse, and of the parents as aforesaid, and may provisionally certify any proposed school as necessary on such conditions as they think fit to prescribe, and every such school shall be deemed to have been certified as necessary when, and as long as the prescribed conditions are complied with. (4) The Board of Education shall, before they certify or provisionally certify as necessary any school under this section give not less than three months notice to the local education authority concerned of their intention to determine the matter. and shall hold a public local enquiry with reference thereto, if so desired by the local education authority, on the parents making application as aforesaid. (5) The children of parents, on whose application any school has been certified as necessary under this section, shall at all times have the prior right of admission to the school, and other scholars shall be admitted only so long as there are sufficient school places available for the children of such parents."—(*Lord Clifford of Chudleigh.*)

[The foregoing Amendment was substituted for that moved by Viscount Llandaff.]

He said it had been a matter of some wonder to him why the Bill contained no provision for future schools. After the discussion that evening it was quite clear that the intention of the Government was that existing schools should have a lease of life of five years, and then be left absolutely at the mercy of the local authority. That being so, it was natural that all new schools should be similarly left. But that was by no means what noble Lords on his side of the House would regard as meeting the justice of the case. They held that the local authority should not refuse to take over any elementary school which the Board of Education might have certified as necessary on the application of the owners of the schoolhouse, and of the parents of not less than fifty children in an urban district, or of not less than thirty children in a rural district. He emphasised the need of distinction of this kind, for in rural districts schools were of necessity very much smaller. There were many schools at present maintained by local authorities which did not number more than thirty children. The words in his Amendment—

> "And for whom no sufficient provision exists, having regard to the religious belief of the said parents,"

were taken from the Scottish Act. Upon the existence of a provision such as he asked for depended whether or not the school would be built. To put such a burden as that proposed in the clause upon the owners was perfectly unreasonable. He hoped the justice of his Amendment would secure its adoption by their Lordships.

*THE LORD BISHOP OF OXFORD said he had on the Paper an Amendment which aimed at the same object as the Amendment of Lord Clifford of Chudleigh, though his proposal took the form of a separate clause. The aim of both Amendments was to provide some procedure by which those who were anxious to provide fourth-clause, or extended facilities, schools should be able to make that provision on a sufficient assurance that the school would be taken over by the local authority. In other words, those who wished to provide such a school should not be put to the extravagant and unreasonable trouble of making the school a going concern before they knew whether or not the one object they had in view in supplying the school was to be secured. One of the great harms done by the Bill was that it tended to discourage public spirit and public generosity in the matter of primary education. The way in which it dealt with schools provided for a particular purpose by generous patrons was not an encouragement to similar benefactions in the future. He did not despair of schools being provided in the future, notwithstanding the hard fate which was befalling those provided in the past. On his way to these debates he had stopped to open a voluntary school just built at a cost of £4,000, and during the course of the debates in their Lordships' House they had decided at Oxford to incur an expense of over £2,000 on a training college. That was the kind of spirit which he believed, in spite of all the discouragement which had been inflicted upon them, would continue in the future, for in England generosity and public spirit were of hardy growth. He had heard it said that people would rebuild their houses on the slopes of a volcano very soon after an eruption had taken place, and he hoped that, in the same way, they might go on doing their best for voluntary schools even after the sweeping treatment of them which had been threatened in the Bill proposed by His Majesty's Government. He preferred his own clause to the Amendment standing in the name of Lord Clifford of Chudleigh, because its purpose was set out more simply and clearly, and because it disengaged itself from Clause 6 as it stood. He believed that if the Amendment were carried the provision of voluntary schools would not be arrested by the Bill.

*THE LORD BISHOP OF HEREFORD said he most earnestly desired to see as many efficient schools as possible established, provided only they were really required and would not prove an unnecessary burden on the ratepayers. But as he understood the object of the Amendment, it was not so much to facilitate the establishment of really good schools which were required, as to override the powers of the local education authority in this matter. He thought it was most unwise policy to go on piling up Amendments the underlying motive of which was mistrust of the local authorities. Surely the primary duty of the local education authority was to see to the efficiency of education within its area and to take care that the administration was as economical as possible consistent with efficiency. These Amendments restricted the power of the local authority and tended to make the whole system of education far more expensive to the public. He ventured to think they ought to keep this in view, and remember that the local authority was the proper body to determine whether or not in the interests of the public and of the children in its area a new school was required. Subject to that paramount consideration he was always in favour of the establishment of a new and efficient school. He felt, however, that it was of the greatest possible importance that they should cease pursuing a policy of mistrust of the local authorities. He believed that in ninety-nine cases out of 100 there was no reason for that mistrust.

VISCOUNT CROSS said the question of new schools was one of the most important that they could have before them. They could not conceal from themselves the fact that the population was growing in every part of the country. He thought the various denominations should be encouraged to build and properly equip their own schools, and then hand them over to the proper authorities. Surely it was common sense that they should be enabled first to make arrangements with the local authority and then build their schools.

THE LORD BISHOP OF ST. ASAPH, in supporting the Amendment, denied that they were mistrusting the local authority, if by that was meant the authority on the spot where the school would be built. What they mistrusted was the centralised power in the county, which was often negligent of the interests of small localities.

LORD STANLEY OF ALDERLEY said it seemed to him that their Lordships were utterly disregarding the question of privilege. Here again they were distinctly proposing to put a charge on the rates by compelling the local authority to accept schools which were needed not for the general requirements of the district but only to meet the desires of a denominational group. It would be the duty of the Speaker of the House of Commons to call attention to this Amendment as imposing a charge upon the rates.

LORD CLIFFORD OF CHUDLEIGH intimated that he would withdraw the sub-section he proposed to insert in favour of the new clause standing in the name of the Bishop of Oxford.

On Question, Amendment, to omit the words after "school" to end of clause, agreed to.

Amendment moved—

"To leave out Clause 6."—(*The Marquess of Salisbury.*)

On Question, whether the clause stand part of the Bill, their Lordships divided:—Contents, 34; Not-Contents, 120.

CONTENTS.

Crewe, E. (*L. President.*)

Ripon, M. (*L. Privy Seal.*)
Northampton, M.

Beauchamp, E.
Craven, E.

Althorp, V. (*L. Chamberlain.*)

Brassey, L.
Burghclere, L.
Colebrooke, L.

Courtney of Penwith, L.
Davey, L.
Denman, L. [*Teller.*]
Elgin, L. (*E. Elgin and Kincardine.*)
Fitzmaurice, L.
Glanawe, L.
Grimthorpe, L.
Hamilton of Dalzell, L.
Haversham, L.
Headley, L.
Hemphill, L.
Lyveden, L.

Monkswell, L.
Nunburnholme, L.
O'Hagan, L.
Overtoun, L.
Pirrie, L.
Rendel, L.
Ribblesdale, L. [*Teller.*]
Sandhurst, L.
Sefton, L. (*E. Sefton.*)
Stanley of Alderley, L.
Tweedmouth, L.
Wandsworth, L.
Weardale, L.

The Lord Bishop of Hereford.

NOT-CONTENTS.

Canterbury, L. Abp.

Norfolk, D. (*E. Marshal.*)
Grafton, D.
Leeds, D.
Marlborough, D.
Newcastle, D.
Northumberland, D.
Wellington, D.

Ailesbury, M.
Bath, M.
Bute, M.
Camden, M.
Hertford, M.
Lansdowne, M.
Salisbury, M.
Winchester, M.

Abingdon, E.
Albemarle, E.
Ashburnham, E.
Bradford, E.
Camperdown, E.
Cathcart, E.
Cawdor, E.
Clarendon, E.
Dartrey, E.
De La Warr, E.
Denbigh, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Feversham, E.
Gainsborough, E.
Graham, E. (*D. Montrose.*)
Guildford, E.
Londesborough, E.
Morton, E.
Mount Edgcumbe E.
Nelson, E.
Northesk, E.
Onslow, E.
Plymouth, E.
Powis, E.
Radnor, E.
Saint Germans, E.
Shrewsbury, E.
Vane, E. (*M. Londonderry.*)
Verulam, E.
Waldegrave, E. [*Teller.*]
Westmeath, E.

Bridport, V.
Churchill, V. [*Teller*]
Cross, V.
Falkland, V.
Falmouth. V.
Halifax, V.
Hill, V.
Hutchinson, V. (*E. Donoughmore.*)
Iveagh, V.
Llandaff, V.

Bangor, L. Bp.
Bath and Wells, L. Bp.
Birmingham, L. Bp.
Lincoln, L. Bp.
London, L. Bp.
Norwich, L. Bp.
Oxford, L. Bp.
St. Albans, L. Bp.
St. Asaph, L. Bp.
St. David's, L. Bp.
Southwark, L. Bp.
Wakefield, L. Bp.
Winchester, L. Bp.

Abinger, L.
Ampthill, L.
Ardilaun, L.
Ashbourne, L.
Atkinson, L.
Barrymore, L.
Belhaven and Stenton, L.
Belper, L.
Blythswood, L.
Boyle, L. (*E. Cork and Orrery.*)
Braye, L.
Chaworth, L. (*E. Meath.*)
Clifford of Chudleigh, L.
Clonbrock, L.
Colchester, L.
Dawnay, L. (*V. Downe.*)
De Freyne, L.
De Mauley, L.
De Ros, L.
Digby, L.
Douglas, L. (*E. Home.*)
Ellenborough, L.
Emly, L.
Estcourt, L.
Faber, L.
Forester, L.
Herries, L.
Howard of Glossop, L.
Kenyon, L.
Knaresborough, L.
Lawrence, L.
Leith of Fyvie, L.
Manners, L.
Masham, L.
Mowbray, L.
Ormathwaite, L.
Rathmore, L.
Ravensworth, L.
Seaton, L.
Shute, L. (*V. Barrington.*)
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*)
Stewart of Garlies, L. (*E. Galloway.*)
Teynham, L.
Waleran, L.
Wenlock, L.
Willoughby de Broke, L.
Wolverton, L.
Zouche of Haryngworth, L.

*THE LORD BISHOP OF OXFORD then moved, Clause 6 having been deleted, the insertion of the new clause standing in his name.

Amendment moved—

"To insert the following new clause:—(1) If any persons consider that a new public elementary school with facilities for religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870, is required in any district, they may give public notice of their intention to provide a school house for the proposed school. (2) When such notice has been given the Board of Education shall determine whether the proposed school is required, and in so doing, shall have regard to all the circumstances of the case, including the wishes of the parents as to the religious education of their children, and shall take into consideration any appeal made to them against the proposal by the local education authority, or any ten ratepayers in the district in which the school is claimed to be required, and shall hold a public inquiry under Section 73 of the Elementary Education Act, 1870, with reference to the proposal if requested to do so by the appellants. (3) If the Board of Education determine that the proposed school is required, an arrangement under Section 2 of this Act shall be made in respect of the school house as soon as it is ready for occupation as though it were the school house of an exisiting voluntary school, and the provisions of this Act with respect to facilities (including extended facilities) shall apply to the school."—(*The Lord Bishop of Oxford.*)

On Question, Amendment agreed to.

Clause 7:—

*LORD AMPTHILL, in moving the omission of Clause 7, said that, as their Lordships had altered Clause 1 by inserting a provision to the effect that religious instruction was to form an essential and integral part of public elementary education, it was an inevitable and logical consequence that attendance during the hours of that religious instruction should be as compulsory as in the hours of secular instruction. He had given notice of his Motion for the omission of the clause in pursuance of a general scheme of Amendments which had not found acceptance with the Committee, and that was the reason he had not proposed any other clause in substitution. It was true that he voted against the Amendment of Clause 1; he did so, however, not because he in any way disapproved of the provision—on the contrary, it had his most cordial and hearty support—but because he considered it inappropriate in a clause which dealt with public control in the matter of finance. The omission of Clause 7 was inevitable in view of the alteration which had been made in the Bill. For his own part, he could see no reason whatever why attendance during the hours of religious instruction should not be compulsory, so long as the child was not compelled to listen to any instruction at variance with the persuasion or religious belief of its parents. The reasons which justified the State in undertaking the secular instruction of the young and compelling their attendance at school, so that the children might be brought up as good citizens, held good so far as religious education generally was concerned, the only condition being that the religious instruction should be in accordance with the faith and creed of the parents. He therefore begged to move, leaving it to other noble Lords to propose safeguards for the conscience of parents, which he admitted to be necessary, and which he would himself have suggested has his Amendments proceeded on different lines.

Amendment moved—

"To leave out Clause 7." (*Lord Ampthill.*)

*Lord REAY hoped the Government would not insist on retaining Clause 7. In another place there was a smaller majority for this clause than for any other, and several members of the Government voted against it. It would be within the recollection of noble Lords that the Board of Education under the late Government introduced a by-law very much to the same effect as this clause, though that by-law was merely permissive, the local authorities having the right to enforce it or not as they pleased. On the 31st July, 1903,† feeling bound to object to it, he addressed a Question to the noble Marquess, who was then at the head of the Board of Education, asking what had been the reasons for its introduction. The objections which made it imperative for him to oppose that by-law compelled him on the present occasion to declare himself against this proposed legislative enactment. The clause involved the reversal of the principle of the Act of 1870, which placed religious instruction in the regular programme of the school and made it an integral part of the time-table. Children could be withdrawn under the conscience clause from this instruction, but not from the school, and he might say incidentally that in London the withdrawals from religious instruction in the council schools were almost nil. He felt confident that the great majority of the teachers—who were seldom mentioned in these debates, although they were a very important factor—would object to any measure which discouraged parents from sending their children to school at the time the school began. Educationally, for the discipline of the school, it was most objectionable to create a situation in which there would be one set of children attending at nine o'clock, and another dropping in between nine and nine forty-five. Facilities should be granted to parents who wished to withdraw their children from religious instruction, but no encouragement ought to be given to them to keep the children away from school, not on account of religious scruples, but in order to earn something or otherwise make them late for school. Punctual attendance was an essential element in the good government of a school; it could not be too strongly insisted upon. By this clause the commencement of the school was virtually made to coincide with the commencement of secular instruction, whereas the religious instruction given at the beginning of the school meeting imparted to the school its tone. The clause would entirely alter the character of the school as contemplated by the Act of 1870. In that year, when an Amendment similar to this clause was proposed, it was objected to by Mr. Forster and rejected by the House of Commons. The present Bill would be much more popular in the country if this clause were omitted. The object of the Bill was to provide a national system of education. A national system without religious instruction on the basis of a common Christianity was, he believed, not possible in this country. For these reasons he hoped the Lord President of the Council would, as was done in another place, give full liberty to the supporters of the Government to vote on this clause in accordance with their convictions.

---

† See (4) *Debates*, cxxvi., 1054.

*THE LORD BISHOP OF ST. ALBANS desired to endorse the appeal made by the noble Lord whose experience as Chairman of the London School Board gave his utterance on these matters great weight. He could confirm what had been said by what happened under the school Board at Portsmouth while he was vicar of Portsea. The inspector of schools, finding that a great number of the children of the board schools were attending at different times up to 9.50, when the registers were marked, being kept back by their parents for no reason whatever except to run errands and for similar purposes, advised the school board to make a by-law or regulation requiring the registers to be marked at 9.15 instead of 9.50. Immediately, a very large number of children came in regularly at 9.15 and hardly any were withdrawn from the religious instruction. He was bound to say that that religious instruction was frequently very good, given by excellent teachers, and no conscientious objection was taken to it by the parents. That was, he thought, a testimony in favour of the appeal of the noble Lord, showing that, wholly irrespective of extended facilities or facilities for denominational instruction, it was absolutely inexpedient, on broad grounds, for the registers to be marked after the religious instruction had been given. And what kind of parents was it who were likely to withdraw their children from religious instruction by sending them late to school? It was just those parents whose children most needed that instruction. The careful parent would send his child at the proper time, but the children of careless or apathetic parents, or of parents with great bodily and physical needs who desired to make a little money advantage out of their labour, would be deprived of the religious instruction of whatever kind it might be. They had to think of these children, of the children of the careless as well as of those of the careful, and decide on broad lines what were the best regulations for ensuring some sort of good religious and moral teaching for the children of all classes. He could not imagine anything more likely to bring religious instruction into disrepute than the system embodied in Clause 7. Its supporters denied that there was any idea of giving a badge of inferiority. He accepted the intention, but it could not be taken as an intelligible argument to the man in the street. If there were two kinds of education, one of which the child must attend while the other he need not, there must attach to the latter a badge of inferiority; it was absolutely inevitable and could not be explained away. If it was said to be difficult to give religious instruction, and at the same time secular instruction to those children who were withdrawn, he would say *solvitur ambulando*; it was done in many schools at the present time, and no educationist of real experience would say it was a difficult task. For these reasons he hoped their Lordships would be able to induce the Government to withdraw the clause, or, failing in that, would vote against it.

EARL RUSSELL said the speech of the right rev. Prelate convinced him that the removal of this clause from the Bill was intended to be a surreptitious mode of making religious instruction compulsory. The right rev. Prelate wanted to have no distinction between the two kinds of instruction, that which the children must attend and that which they need not. But there was an essential difference between the two; one was secular, which the State considered it had a right to impose upon its subjects, while the other was religious, which for some time they had considered, or at any rate said, they had no right to impose on the subjects of the State. The right rev. Prelate feared there would be a badge of inferiority placed on one kind of instruction as compared with the other if the children were not compelled to attend when religious instruction was given. He did not know that that was so, but if it was true, would not the same badge of inferiority be applied if a child went to school and, when the majority of children were receiving religious instruction, was withdrawn and given separate instruction in a separate classroom by a separate teacher? If such a child were compelled to attend school it was perfectly certain that he would be pointed at by the rest of the school, and called an atheist, an infidel, an unbeliever, or any other name of the sort which suggested itself to his companions. The right rev. Prelate had stated that when the new by-law was introduced at Portsmouth very few children were withdrawn from religious instruction. He (Earl Russell) did not wonder at it; it was precisely the result that he would have anticipated. It put upon these children and their parents a strain they did not like to undertake. Persecution in religious matters was only a matter of degree. It was now a long time since one set of people thought they had a right to send to the stake, to imprison, or to maltreat in any definite way those whose religious opinions did not agree with their own and those of the majority. But it was only a question of degree, and not a question of kind. If a child or a parent was exposed to animadversion or contempt in any way because the child was withdrawn from religious instruction, that was *pro tanto* an instance of religious persecution. The clause as it stood declared that—

> "The parent of a child attending a public elementary school shall not be under any obligation to cause the child to attend at the school house, except during the times allotted in the time table exclusively to secular instruction."

What right had the State to insist upon the child's attending anything but the secular instruction? Supposing there was in a school one Roman Catholic or Jewish or Unitarian child, or a child of secular parents—or even two or three such children—how was it possible for them to be withdrawn from the ordinary life of the school without their being pointed at and their position made very unpleasant? Under the clause as it stood such children need not present themselves at the school-house while the instruction was being given, and they would not be there to be pointed at. But if the clause were withdrawn and attendance insisted on, it would be as though their Lordships said, "We think it right that everybody should attend church, but we recognise that there are some people whose consciences do not allow them to attend; we will therefore insist that during church hours they shall stand at the church door." The cases were exactly parallel. The right rev. Prelate—and, from his point of view, with perfect truth—had said that it was their duty to do what they thought best for these children. That was precisely the principle by which religious pressure and religious persecution had been justified in all ages. It had always been the intention of those who attempted to force their views on religious subjects upon other people to do what was best for those other people, but we had long since come to the conclusion that in these matters people had a right to do what they thought best for themselves. He hoped the Government would retain the clause, for without it there was no religious liberty for children or parents.

*THE LORD BISHOP OF CHESTER said they all felt that children did not care to be made conspicuous, but what would be the position of the unhappy children who, if this clause were retained, would be compelled to attend school at an earlier hour than others for the purpose of undergoing religious instruction? If it was such an awkward thing to go against the popular current in the one case, why was it not equally awkward in the other, when the child's companions would be running errands or indulging themselves in play? If the noble Earl worked it out he would see that his argument cut both ways. As bishops of the Church of England it was their duty in a very special sense to look after the interests, not only of their own children, but of the children of England as a whole. If such a clause as this became law, they would be doing their best to leave a large proportion of the children of England to grow up something not far removed from little heathens. He fully agreed with Lord Reay as to the importance of all the children attending school at the same hour. In the opinion of all experienced people, not the least important part of the influence of the elementary school system was that it silently and surely impressed upon the children habits of regularity and punctuality, but this clause would undermine that influence to a perilous and mischievous degree. He agreed with Lord Reay also as to the importance of the school's beginning with the recognition of our duty towards God as the very basis of our whole educational system. He was one of those who honestly believed in the value of our common Christianity. It was easy to say sharp and smart things to the detriment of that common Christianity, but its value could not be gauged by what was heard on controversial platforms. Attaching, as he did, supreme importance to that common Christianity, he hoped, before this Bill passed or met any other fate, the Government would remove two causes which worked to its detriment. The common Christianity taught under the name of Cowper-Templeism was too vague, and many Churchmen would have their anxieties allayed if they were assured that it was possible for managers of transferred schools to stipulate for a careful syllabus as part of the arrangement for the transfer, as suggested by the Lord President of the Council on a previous occasion, or for it to be regulated more definitely by the standard of the Apostles' Creed. He urged the vital importance of doing all that could possibly be done to represent the common Christianity to the people of the country in its most favourable and trustworthy shape. Then, believing most earnestly in our common Christianity and the amount of unity there substantially was between Christians, recognising with gratitude that, although what should be the one body, was terribly rent and torn, the one spirit was in many ways continually triumphing over the rents in the one body, he urged the Government not to discredit that common Christianity by presenting it to Churchmen, Roman Catholics, and a considerable section of the country at large, as an inequitably favoured form of religion. He could not approach a question of this sort as a mere denominationalist. He accepted denominationalism as a definite way of working under present conditions and for certain ends, but he could never speak on the subject as a mere denominationalist. If the Church of England approached the question merely regarding her own children and her own schools she would be stamped with the stamp of a mere sect. The difference between the sect spirit and the Church or Catholic spirit was to his mind represented by St. Paul's words—

> "Look not every man on his own things, but every man also on the things of others."

He would say in this connection, "Look not every true Church on her own things and her own people, but every true Church also on the things of others, on the children of the State, and of the country as a whole." He appealed to the Government to look at the matter from the point of view he had put forward. Those who clung to undenominational religious instruction most earnestly hoped that the Government would relieve that particular form of teaching from the odium which must rest upon it if it appeared before the country in the invidious light of an unjustly favoured and endowed child of the State, other views, representing earnest convictions, being treated inequitably in order that the supremacy of that particular type of Christian teaching might be maintained.

*LORD HENEAGE desired to recall the attention of the Committee to the question immediately before it, namely, whether or not children should be obliged to attend school during the hours of religious instruction. If children were withdrawn there was a danger lest they should be led to believe that the religious instruction was of secondary importance, a result much to be deprecated. But there were other strong reasons why children should be compelled to attend. If the option were allowed he did not believe they would attend. A mother would be inclined to keep a daughter at home to look after the younger children and help with the housework, while boys would play games on the way and probably prevent other boys from attending. The whole discipline of the school would be upset, and it would be impossible for even the very best teachers to restore that discipline during the remaining hours of the school day. It was absolutely necessary for the discipline of the school and for the sake of the children themselves that attendance should be compulsory at the beginning of the school, and that the register should be marked within the first quarter of an hour. He was aware that he was walking on somewhat delicate ground there, because under the late Government the registers were allowed to be marked at a later hour. He believed, however, that that was an exceedingly bad innovation, and that none would be more grateful than the teachers themselves if they went back to the old system of marking the registers immediately on the opening of school. However, under the clause it would be allowable for the children to attend at any time before the secular instruction commenced. In winter those children could not be kept outside in the rain or snow until the religious instruction was over, and it would be utterly impossible for any teaching to go on if children were dribbling in as they chose during the first half-hour. He hoped, therefore, the Government would see the necessity, not only in the interests of the children themselves, but in the interests of the teachers and of the discipline of the school, to allow the clause to be omitted.

The Marquess of LONDONDERRY thought that, in view of the speeches of Lord Reay and Earl Russell, to neither of whom had the Government replied, the cry of the Leader of the House and of the Lord President of the Council must be "Save us from our friends." For the Anson by-law, to which reference had been made, he was prepared to take full responsibility. Considerable difficulty had arisen in regard to the education of children during the period set apart for religious instruction, and after careful consideration the Board of Education decided that it should be possible for local education authorities, at the request in writing of the parent, to allow the child to be withdrawn from the school during the giving of religious instruction, provided they were assured that religious instruction would be given to the child in another part of the district. He therefore repudiated the suggestion that under that by-law children were withdrawn and given no religious instruction whatever. As a matter of fact, in the case of 232 local authorities every child was required to attend the schoolhouse during the time of religious instruction, being allowed, under the Conscience Clause, if desired, to receive instruction in other subjects during that time; while in ninety-four cases the Anson by-law was put into

operation, the authorities being assured that if children were withdrawn by their parents, they would be receiving religious instruction elsewhere.

In the course of these debates he had been determined not to speak on any Amendment unless convinced, not only that the Amendment was one he was justified in asking their Lordships to accept, but one which, if carried, would receive the support of the people of the country as a whole. Several Amendments had been passed, some important, many very important, but he believed there was none of greater importance than the one now under discussion. It simply proposed that attendance should be compulsory during the time of religious instruction. He could not imagine any proposal which would appeal more to the people of the country. In Clause 1 a provision had been inserted by which religious instruction of some sort or kind was to be given in all schools. He had read with considerable amusement the quotations from his speech in which he declared that there ought to be given to the children religious education of some sort, he did not care what. He did not withdraw that statement in the least. He was no bigot. He was a staunch supporter of denominational schools, and his friends in the north of England, if they were present, would admit that he had given practical demonstration of that in the district in which he lived. Personally he would like to see denominational education in every school throughout the country. But that was not possible, and if they could not have denominational education he desired that they should have religious education of some sort or kind. While he preferred denominational instruction to Cowper-Temple instruction, if he could not have the former he was in favour of having the latter, but let it be in compulsory school attendance hours. The supporters of denominational education were no bigots or narrow-minded partisans; they did not lay down one class of religion to be taught in all schools; all they contended for was that every child should have an opportunity, if its parents desired it, of having some religious teaching compulsorily given, and he believed that that was the feeling of the vast majority of the people of the country. To put religious instruction out of school hours would be to put it on the same level as extra lessons in music or dancing.

He did not think the Government could say much in defence of the clause. In the House of Commons this "leave it to you" Government adopted the "go as you please" principle in regard to it, and in a House of 550 the clause obtained a majority of only sixteen. He was glad that that division was taken, because the division lists showed in black and white who were in favour of allowing the children to be brought up, as far as the schools were concerned, as atheists, and those who desired them to be taught under a system of religious education. The arguments in favour of the omission of the clause were overwhelming. He could not see what good it could do a child not to be brought up in the fear of God. If it went to the country that the Government were in favour of such a proposition the people would admit at once that it was absolutely injurious not only to the child but to all classes of the community. To allow religion to cease to be a fundamental part of education would eventually mean the ruin of the system as a whole. He could not conceive how it was possible to argue that if compulsory attendance was good for secular education it was not equally good for religious education. Such a distinction must inevitably discredit religious instruction in the eyes of the people of the country. It meant that while a child was bound to be taught the multiplication table, it need not be taught the Lord's Prayer. Rounders, cricket, and even rifle-shooting, might now be engaged in during the hours of compulsory attendance, and he was glad to see it, but was it right that such subjects should be placed in a position superior to that of the Lord's Prayer? Much as the people of the country approved of physical exercises they did not wish them to be superior to religious education, and if their opinion were asked to-morrow he believed they would agree that the omission of this clause was absolutely necessary.

THE EARL OF CREWE: I had hoped that when we approached the consideration of this interesting clause I should for a time have some relief from purely Party controversy. This clause, as your Lordships know, was left an open question in the other House, because there were and are large and legitimate differences of opinion in regard to it. Those differences affected the Cabinet itself; they even invaded the circle of families, there being one case in which father and son, though on the same side of politics, voted in different lobbies on this question. Consequently I hoped that I might escape on this occasion the Party cut and thrust with which we have been so familiar, and which—though I have been treated with great consideration—after a series of nights may pall upon any man. But I am entirely undeceived by the speech of the noble Marquess who has just spoken. He has made a speech of a thoroughly partisan character. I would put this to the noble Marquess. Is it, from his point of view, altogether prudent to advertise, in the way he has been doing during the last few weeks, that his Party stands in need of capital? I do not at all dispute the fact, but I am doubtful whether from his own point of view it is advisable to advertise it so freely. We have had more examples than one of what I mean. The other day it was a question of the sale of intoxicating liquors in Ireland. The noble Marquess announced his intention of going down to the country and denouncing us as being utterly indifferent to the cause of temperance. We look forward whenever licensing comes before this House to addressing the noble Marquess as "the noble Lord with the blue ribbon"—not in the sense in which the term used to be applied to Lord North by the House of Commons, or might be applied to the noble Marquess himself, but in allusion to that humbler declaration which indicates the devotion of its wearer to the cause of total abstinence. On Clause 1 of this Bill the noble Marquess announced his intention of taking another tour, this time to convict us of utter indifference to the cause of religion. Now he comes forward and says he is anxious to know whether it is really true that His Majesty's Government are in favour of children being brought up as atheists. If I might offer a little friendly advice to the noble Marquess, I would suggest that, when he takes these excursions into the country and into the realms of imagination, as a pure matter of stage management his efforts ought to bear a little more air of spontaneity.

I come now to the clause, and I think I can show your Lordships that the noble Marquess has not been quite accurate in his description of one or two incidents in its previous history. It is important to remember that in this matter, in the famous phrase of Sir Robert Peel, there are three courses open for you to take. You may pass the clause as it stands, allowing all parents to keep their children away during the time of religious instruction; or you may do what is done at present, allow a system of local option; or you may adopt the Amendment of the noble Lord and insist on all children everywhere attending at the schoolhouse. Since the Act of 1870, the position has been this. Clause 74 of the Act of 1870 said that every school board might make by-laws (1) requiring parents of all children of such age not less than five or more than thirteen to attend school, (2) determining the time during which children were so to attend school, provided that no such by-law should prevent the withdrawal of any child from any religious observance or instruction in religious objects; and the by-law which was practically universally adopted up to the year 1903 stated that the time during which any child should attend the school should be the whole time for which the school selected was open for the instruction of children of similar age. Therefore your Lordships will see that nominally, at any rate, attendance at the schoolhouse was compulsory during the time when religious teaching was being given. But as a matter of fact it is well known to your Lordships, and especially to the noble Marquess opposite, that scarcely any, if any, prosecutions of parents for not sending their children to school during the time of religious instruction were ever instituted. I do not think anybody has been able to produce an instance where a parent was prosecuted for not sending his child to school during that time. In the year 1903 was issued what the noble Marquess has alluded to as the Anson by-law. The Anson by-law runs as follows—

> "The time during which every child shall attend school shall be the whole time for which the school selected shall be open for the instruction of children of similar age, provided that where a parent has notified to the managers in writing his intention to withdraw his child from instruction in religious subjects such time shall be the whole time for which the school selected shall be open for secular instruction only."

There can be no question that the intention in the minds of the noble Marquess and Sir William Anson was that children should be withdrawn during the religious hour in order to obtain religious instruction elsewhere. The fact that a certain number of parents desired their children to attend services in Church instead of attending at the school was, unless I am mistaken, the origin of that by-law. But I think the noble Marquess rather overstated the case when he said it ensured that children were attending religious instruction elsewhere. All that need be done, and I am not sure that even that is done in some cases, is for the parent to write one letter to the managers saying that he wishes his child to be withdrawn from instruction in religious subjects. Although it is understood to be with a view to obtaining religious instruction elsewhere, no system of inspection is employed to see that the child does attend anywhere else, and there is no compulsion on him so to attend.

THE MARQUESS OF LONDONDERRY: The question was left to the local education authorities to allow children to be withdrawn at the request of parents, they being assured that the children would receive religious instruction elsewhere. They had to satisfy themselves.

THE EARL OF CREWE: Even though the managers thought it necessary at any given moment to ask a parent whether he wished to withdraw his child in order that he might receive instruction elsewhere, there is no system by which it could be shown that the child really does attend and receive instruction. As a matter of fact, I have not the least doubt that a considerable number of children withdrawn under this by-law do not attend elsewhere. It is important to remember what by-laws are. They are not hints or orders issued from the Board of Education. They are simply issued to put in a convenient form what are understood to be the wishes of various local authorities, and there can be no question that if the Board of Education chose to agree and approve the action of a local authority there would be nothing to prevent a local authority submitting a by-law couched in the terms of Clause 7 which your Lordships are now engaged in debating.

The effect of this Amendment, unless you do something more, is simply to maintain the *status quo* with the Anson by-law in full swing. If that by-law is maintained and the option given to local authorities you will be imparting very different values in different districts to the facilities provided under the Bill. If one local authority make attendance compulsory, the facilities are obviously worth a great deal more in that district than in another district where the children are not compelled to attend at the schoolhouse. That is one difficulty which appears to me to be inherent in leaving matters as they are. As your Lordships are aware, a considerable amount of discussion has raged round the point whether or not these facilities ought to be given in school hours. You can either put them into the hours of compulsory attendance, or leave it as we have done in the Bill, but if you leave it a doubtful matter I am afraid you will place yourselves in a position of some difficulty. Under Section 97 of the Act of 1870, attendance during religious instruction does not count towards the Government grant. It would, of course, be a marked change if that provision were altered.

Several speeches of great interest have been delivered in the course of the debate, suggesting that the Government have the intention of inflicting something like a badge of inferiority upon religious teaching. We cannot remain silent under such a charge as that. It is not a question of a badge of inferiority; it is a question of the broad idea of liberty as applied to these matters. Earl Russell made a speech, very eloquent, as all his speeches are, but of a character not exceedingly popular in this House, in which there was one observation in regard to the speech of the right rev. Prelate the Bishop of St. Albans for which in my judgment he had a certain amount of warrant; it was this. The right rev. Prelate—and I have no doubt others sitting near him—do to a certain extent change their ground in speaking of this matter. We have all through heard much said, and very forcibly, about the rights of the parents to have their children taught what they please. But if you are going to press these parental rights, you are not in a position to say when you come to religious teaching, that where a parent is indifferent it is the duty of a certain number of good men to take the whole matter out of his hands, and teach his children for him. You cannot have it both ways. To that extent, although I am not by any means in entire agreement with the noble Earl on this question, I confess there seems to be much force in what he says.

Doubtful as I confess I am about this clause—because I do not pretend to have a strong opinion on it either way—there is one matter which does bias me in its favour, and that is its effect in making the conscience clause really operative. We have had a conscience clause for many years, but nobody can say that it has been very effective. It has been used extraordinarily seldom, partly because parents are in many cases curiously indifferent as to the particular kind of religious instruction which their children receive. I wish they were less indifferent. I am not what is called a strong denominationalist, but I confess I welcome a direct interest taken by parents in these matters, and it is I think singular to find with what curious apathy parents often regard the special character of the religious instruction given in the schools which their children attend. But there is another reason for the small use which has been made of the conscience clause—a reason which has often been impressed upon your Lordships, and forcibly stated elsewhere. There is no doubt that it is difficult for children to avail themselves of the conscience clause under present circumstances. You ask children to place themselves in an impossible position by standing out in favour of unpopular views among others of their own age and class. None of us who remember our own school days can forget how very difficult it was in any matter to battle against the stream of public opinion in the school. Consequently I have not the least doubt that there are many children whose parents, if they felt that they had a free choice in the matter, would desire them to be withdrawn from the special religious instruction, but who are allowed to attend it in order that they may be saved the chagrin and pain of having to declare themselves different from their fellows. These things do happen. There is the oft-quoted story—I do not vouch for its truth—of the foolish clergyman who, when children were being withdrawn, said, "Let the little heathens go into another room." I do not pay much attention to stories of that kind; I should be very glad to place that clergyman, so far as illustration is concerned, on the retired list, accompanied, however, by the atheistic teacher who flourishes his unbelief in the faces of the children. I dare say they both exist, but they are certainly neither of them types. But these things do happen, and I believe that this liberty to stay away would afford something like a real protection for children who are unable to protect themselves.

I may mention that from a point of view which is not exactly mine, I should have thought there might be a good many noble Lords and some right rev. Prelates in favour of the clause as it stands. We have been told that we are forcing a State religion on the schools and upon the children in the shape of teaching subject to the Cowper-Temple clause. I should have thought the noble Viscount opposite (Viscount Halifax) and others would have felt some satisfaction in the fact that under this clause no child need go and receive Cowper-Temple teaching. Whether those who agree with the noble Viscount are impressed by that argument I cannot say, but probably we shall hear. We had an eloquent speech from the right rev. Prelate the Bishop of Chester, at whose intervention in the debate I was delighted, the more so in that I live under his pastoral charge; but he takes another view. He does not object to Cowper-Temple teaching; he is very glad that children should be obliged to be in the school while it is carried on; but there must be others, judging from what we have heard, who look upon that teaching as actively mischievous—not merely insufficient, but actually wrong. I cannot understand why they do not support this system by which the children can stay away from the school and attend church. I should have thought there were a considerable number of cases in which it would be desired that children should obtain special religious teaching in the church. I should have thought that might happen in the case of small numbers of Roman Catholics, for instance, because although we know how many Roman Catholic schools there are, and how they have been erected by the munificence of the rich and the noble self-denial of the poor, there must be some Roman Catholic children who are not within reach of a Catholic school, and I should have thought it would have been a distinct advantage for them to be withdrawn during the hour of religious instruction so that they might obtain elsewhere instruction according to the principles of their own religion. The possibility of avoiding the pernicious teaching called by the name of the late Lord Mount Temple can only be secured by some measure which makes it possible for children to stay away from school during religious instruction, because so far as the adoption of the Anson by-law is concerned, you are at the mercy of the local authority.

On the other hand, there is an argument which weighs very strongly with me, and very nearly counterbalances the arguments on the other side, and that is the argument of child labour. It is no doubt a very grave matter if you are forced to admit that children may run wild in the streets, or be put to tasks, either through the greed of selfish parents or in order to earn a few pence for themselves, at the hour when they might be attending school. That drives me very close to the line along which noble Lords opposite, and many on this side, are drawn up. But I do not think the proper way of preventing child labour is to put children into school to avoid it. If that evil exists it ought to be attacked directly at the source; the people who employ children ought to be severely punished, and extreme vigilance ought to be exercised in detecting particular cases. I do not like the idea of looking upon religious instruction merely as a sort of city of Zoar, as an escape from possible employment in the streets. Consequently I shall vote for the clause as it stands. I do not ask any noble Lord who differs from me on this side of the House, to whose regular support I am so much indebted, to follow me. This, we frankly and fully admit, is an open question; we are not the least ashamed of the fact; it was an open question in the other House, and we mean to leave it open in this.

THE LORD BISHOP OF LONDON thought that, although there seemed to be an idea in some quarters that the bishops were taking an undue share in these debates, it would be admitted that the bishop of 3,500,000 of people was entitled to say a word on the question now before the Committee. The Lord President of the Council, whose fairness he desired to acknowledge, had made the best of a bad case, but it was very possible for noble Lords to underrate the extreme pressure of life in the slums. The difference that a shilling or even sixpence made in the weekly balance-sheet of some of these poor people was enormous; therefore, the opportunity afforded by the clause to make a few pence or farthings by the labour of their children was, even to well-meaning mothers, a great temptation. His second point was that the most injury would be done just to the children of the worst parents. Members of the Church were fighting in the slums to establish religion; by this clause their work would be undermined. The great majority of the people in the slums loved their children and did their best for them; by far the great majority desired that religious instruction should be given to their children; it was just the minority who would be favoured by the clause it was now sought to eliminate. The third point was the impression that would be made upon the child's mind. Even simple Bible teaching would contain the injunction "Seek ye first the Kingdom of God and His righteousness," but if the children were taught to regard religious instruction as a thing they might or might not attend as they pleased, the impression left on their minds would rather be, "Seek ye last the Kingdom of God," and the idea would be that religion was the one thing that did not much matter. Since Clause 1 had been amended it followed almost as a matter of course that this clause should be omitted. Having declared that some portion of every day was to be devoted to religious instruction, it was almost an inconsistency that Clause 7 should remain. A further point, and a most important one, was that the clause was driving people who did not want it into Cowper-Temple religion. Were they not in danger of forgetting that Roman Catholics or Churchmen could, under the conscience clause, withdraw their children from religious instrction? If they said that Cowper-Temple instruction was offensive to their consciences they could already take the children into the Church; this clause was not essential for that purpose. An Amendment had already been made to meet that case, because, at any rate to a certain extent, it was ensured that in the transferred schools every morning definite religious instruction might be given, so that those parish priests who might have felt a grievance before would not feel it now. It was true that no parent had been prosecuted for not sending his child to school during the time set apart for religious instruction, but it was one thing to have a by-law which the people knew nothing about and quite another thing to have stamped on the face of a Bill about which the whole country was talking that the children need not be sent. It would be known in every slum in London, where probably nobody ever heard of the Anson by-law. Then it was said that the conscience clause was ineffective. The only point in the noble Earl's speech which he thought rather unfair was the dragging in of the wretched clergymen and the little heathens. That kind of thing did not represent the parish priest in London.

THE EARL OF CREWE: I did not say it did.

THE LORD BISHOP OF LONDON did not believe the conscience clause was anything like so ineffective as was sometimes made out. It was true that few availed themselves of it, but there was really no difficulty, and no stigma whatever attached to the child who might be withdrawn. The parents were being played both ways in this matter. The elimination of this clause was required on account of a small minority, not the majority, of parents. Some years ago, when something was said in their Lordships' House about the cruelty of the parents of East London to their children, the people of the East End felt the stigma, because they knew that the great majority of them were not cruel to their children. And so in this case, he believed, that in striking out this clause they would have the support of the great majority of the poor parents of London.

*THE MARQUESS OF LANSDOWNE: The noble Earl opposite, speaking with that sincerity which always characterises his remarks, has told us that he feels considerable doubt as to this clause. Indeed he stated the case so judicially that up to the very last moment it was not easy to say upon which side of the fence he intended to come down. But we on this side of the House feel no doubt whatever on the matter. We are entirely opposed to the idea of putting anything like compulsion on the parents in respect of religious instruction. But this clause is not one which puts compulsion upon the parents; it is a clause which offers a distinct inducement to parents to withhold their children from this form of instruction. As the Bishop of London said truly, this is not a question of a departmental by-law; it is something writ large on the face of an Act of Parliament, and I think that whatever we write on the face of this Act of Parliament should be something very different from what is contained in Clause 7. So far as the children are concerned, this clause puts a premium upon unpunctuality and idleness. Further, it is calculated to do a great deal to undermine discipline in public elementary schools. Looking at it from the point of view of the parents, it seems to most of us that the clause offers a distinct inducement to selfish or greedy or perhaps miserably poor parents to withhold their children from school. Some of us may have no idea of the pressure to which these poor people are subject, or of the temptation it may be to them to keep their children away from school during the time of religious instruction in order that they may add a trifle to the scanty earnings of the family. Looking at it from the point of view of religious instruction, the clause puts that instruction in a position of distinct inferiority. As has been said, it suggests the idea that religious instruction may stand in a less honourable and less dignified position than instruction of other kinds. One word with regard to what fell from the noble Lord, Earl Russell. He dwelt eloquently upon the invidious position in which children might find themselves who attended the school during the time of religious instruction, but were given instruction of another kind. I would suggest to him that even if those children are withdrawn altogether from school during the time of religious instruction, they will still be treated differently from other children in the school, and if there is anything in the argument it will surely apply to the children who are exceptionally treated whether they stay at home or whether they go to school and are given secular instruction while the other children are receiving religious instruction. We have laid it down in the first clause that a portion of school hours in every school is to be set apart for religious instruction. It seems to me to follow logically upon that that during that time the children should be at school. If their parents desire that they should not receive religious instruction, the children can be withdrawn, or if it is desired that they should receive religious instruction elsewhere than at school, arrangements can be made with that object. Holding these views, I shall vote unhesitatingly against the clause, and I trust that in lieu of it there may be proposed to us the Amendment standing in the name of Lord Clifford of Chudleigh, which seems to me to give effect adequately to the views which I have endeavoured to express.

On Question, "That Clause 7 stand part of the Bill," their Lordships divided:—Contents, 31; Not-Contents, 143.

CONTENTS.

Crewe, E. (*L. President.*)

Northampton, M.

Beauchamp, E. [*Teller.*]
Carrington, E.
Craven, E.
Kimberley, E.
Russell, E.

Althorp, V. (*L. Chamberlain.*)

Castletown, L.
Colebrooke, L.
Coleridge, L.
Courtney of Penwith, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Eversley, L.
Farrer, L.
Fitzmaurice, L.
Glantawe, L.
Grimthorpe, L.
Headley, L.

Hempthill, L.
Kilmarnock, L. (*E. Erroll.*)
Lyveden, L.
Pirrie, L.
Rendel, L.
Ribblesdale, L.
Sefton, L. (*E. Sefton.*)
Stanley of Alderley, L. [*Teller.*]
Tweedmouth, L.
Wandsworth, L.
Weardale, L.
Welby, L.

NOT-CONTENTS.

Canterbury, L. Abp.

Ripon. M. (*L. Privy Seal.*)

Norfolk, D. (*E. Marshal.*)
Devonshire, L.
Grafton, D.
Leeds, D.
Newcastle, D.
Sutherland, D.
Wellington, D.

Ailesbury, M.
Bath, M.
Camden, M.
Hertford, M.
Lansdowne, M.
Salisbury, M.
Winchester, M.

Abingdon, E.
Albemarle, E.
Ashburnham, E.
Brownlow, E.
Cadogan, E.
Camperdown, E.
Cathcart, E.
Cawdor, E.
Clarendon, E.
Dartrey, E.
Denbigh, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Eldon, E.
Feversham, E.
Gainsborough, E.
Graham, E. (*D. Montrose.*)
Guilford, E.
Halsbury, E.
Lathom, E.
Londesborough, E.
Morton, E.
Nelson, E.
Onslow, E.
Plymouth, E.
Powis, E.
Saint Germans, E.

Shrewsbury, E.
Stamford, E.
Vane, E. (*M. Londonderry.*)
Verulam, E.
Waldegrave, E. [*Teller.*]
Westmeath, E.

Bridport, V.
Churchill, V. [*Teller.*]
Colville, of Culross, V.
Cross, V.
Falkland, V.
Falmouth, V.
Goschen, V.
Halifax, V.
Hill, V.
Hutchinson, V. (*E. Donoughmore.*)
Iveagh, V.
Llandaff, V.
St. Aldwyn, V.

Bangor, L. Bp.
Bath and Wells, L. Bp.
Birmingham, L. Bp.
Chester, L. Bp.
Chichester, L. Bp.
Hereford, L. Bp.
Lincoln, L. Bp.
London, L. Bp.
Norwich, L. Bp.
Oxford, L. Bp.
Peterborough, L. Bp.
Ripon, L. Bp.
St. Albans, L. Bp.
St. Asaph, L. Bp.
St. David's, L. Bp.
Southwark, L. Bp.
Wakefield, L. Bp.
Winchester, L. Bp.

Abinger, L.
Alington, L.
Alverstone, L.
Ampthill, L.
Ardilaun, L.
Ashbourne L.

Atkinson, L.
Balfour, L.
Barnard, L.
Barrymore. L.
Belhaven and Stenton, E.
Belper, L.
Blythswood, L.
Borthwick, L.
Brassey, L.
Braye, L.
Brougham and Vaux, L.
Carysfort, L. (*E. Carysfort.*)
Cheylesmore, L.
Clements, L. (*E. Leitrim.*)
Clifford of Chudleigh, L.
Clonbrock, L.
Colchester, L.
Dawnay, L. (*V. Downe.*)
De Freyne, L.
De Mauley, L.
Digby, L.
Douglas, L. (*E. Home.*)
Ellenborough, L.
Emly, L.
Estcourt, L.
Faber, L.
Fermanagh, L. (*E. Erne.*)
Forester, L.
Gage, L. (*V. Gage.*)
Haversham, L.
Heneage, L.
Hindlip, L.
Hothfield, L.
Howard of Glossop, L.
Kenmare, L. (*E. Kenmare.*)
Kinnaird, L.
Knaresborough, L.
Lawrence, L.
Leigh, L.
Leith of Fyvie, L.
Manners, L.
Masham, L.
Mendip, L. (*V. Clifden.*)
Mowbray, L.
Ranfurly, L. (*E. Ranfurly.*)
Reay, L.
Robertson, L.
Sanderson, L.
Seaton, L.

Shute, L. (*V. Barrington.*)
Silchester, L. (*E. Longford.*)
Stalbridge, L.
Stanmore, L.
Waleran, L.
Wenlock, L.
Willoughby de Broke, L.
Wolverton, L.
Zouche of Haryngworth, L.

House resumed, and to be again in Committee on Monday next.

House adjourned at Five Minutes past Eleven o'clock, to Monday next, a quarter-past Four o'clock.

HOUSE OF COMMONS.

Thursday, 8th November, 1906.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Blairgowrie, Rattray, and District Water Order Confirmation Bill, "to confirm a Provisional Order under The Private Legislation Procedure (Scotland) Act, 1899, relating to Blairgowrie, Rattray, and District Water," presented by Mr. Sinclair; read the first time; and ordered (under Section 9 of the Act) to be read a second time upon Friday, 16th November, and to be printed. [Bill 351.]

Dover Harbour (Works, etc.) Bill [Lords]. Reported, with Amendments; Report to lie upon the Table, and to be printed.

PETITIONS.

BETTING AND GAMBLING.

Petition from Hull, for legislation; to lie upon the Table.

RAILWAYS (CONTRACTS) BILL.

Petition from Walsall, in favour; to lie upon the Table.

TRADE UNIONS AND TRADE DISPUTES BILL.

Petition from Aberdeen, against; to lie upon the Table.

RETURNS, REPORTS, ETC.

POPLAR UNION.

Copy presented, of Report on the Poplar Union by J. S. Davy, esquire, C.B. [by Command]; to lie upon the Table.

UNIVERSAL POSTAL UNION.

Copy ordered, "of Report of the British Delegates at the Sixth Congress of the Universal Postal Union, held at Rome in 1906, with the Postmaster-General's Letter forwarding the Report to the Treasury."—(*Mr. Sydney Buxton.*)

WOMEN'S SUFFRAGE.

Return ordered, "showing (1) the number of Petitions to the House of Commons in favour of Women's Suffrage for each Session from 1890 to 1906, inclusive; (2) the number of names attached to such Petitions."—(*Mr. Alfred King.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Exhibition of Names of Country Post Offices.

MR. A. WILLIAMSON (Elgin and Nairn): To ask the Postmaster-General if he will order the issue of a circular to country post offices authorising and suggesting the convenience of their placing the name of the place over the words "post office."

(*Answered by Mr. Sydney Buxton.*) It is already the rule that the name of the place followed by the words "post office" should appear in a conspicuous position outside every village post office. If the hon. Member is aware of any case in which the rule is neglected either in spirit or letter, I will have inquiry made if he will furnish me with the name of the office.

Australian Trade Marking Laws.

Mr. SEAVERNS (Lambeth, Brixton): To ask the Under-Secretary of State for the Colonies whether his attention has been called to The Commerce (Trade

Descriptions) Act, 1905, of the Commonwealth of Australia; is he aware that the Act contains provisions for the marking and description of British goods which will hamper British export trade to Australia, and which are in all cases onerous and in some quite impossible of accomplishment; and will he make representations to the Commonwealth Government on the subject.

(*Answered by Mr. Churchill.*) The Secretary of State has received representations from the London Chamber of Commerce to the effect that the regulations under the Act referred to will hamper British trade to Australia, and he will communicate with the Commonwealth Government on the subject. In the meantime I understand that the Minister for Trade and Customs of the Commonwealth has given instructions that, in the administration of the regulations, every consideration will be given to those merchants or traders who may inadvertently not strictly comply with the regulations in the first instance through mere want of knowledge, or the difficulty attendant upon the first working of the regulations.

Ships in the Navy List.

MR. BELLAIRS (Lynn Regis): To ask the Secretary to the Admiralty the reason for the insertion of the cruisers "Appollo," "Intrepid," "Spartan," "Retribution," "Rainbow," "Tribune," "Naiad," "Melampus," "Andromache," "Pique," "Pomone," "Pactolus," "Philomel," "Medea," and "Medusa" in the only Return issued to Parliament, entitled Fleets, Great Britain and Foreign Countries, 24th April, 1906, when the Navy List, corrected up to 20th April, 1906, and all subsequent Navy Lists, omit these fifteen cruisers.

(*Answered by Mr. Edmund Robertson.*) The names of these vessels have not been omitted from the Navy List.

Application for School at Woldingham, Surrey.

MR. BRODIE (Surrey, Reigate): To ask the President of the Board of Education whether he has received any application from the education committee of the Surrey County Council for power to acquire land for the purpose of building an elementary school for the parish of Woldingham in Surrey; and, if so, whether, in view of the fact that the children of Woldingham and their parents are inconvenienced by the present lack of school accommodation nearer than Caterham, he can see his way to give such application immediate attention.

(*Answered by Mr. Birrell.*) I understand from the Surrey County Council that land at Woldingham can only be obtained by the exercise of compulsory powers of acquisition, and that they are taking the requisite steps preliminary to making formal application to the Board of Education for the exercise of such powers. Meanwhile they report that they have leased a site at Woldingham for two years, and plans for providing temporary accommodation are now under the consideration of the Board, and are being put forward with all possible despatch.

Irish School Teachers Registration Fees.

MR. BUTCHER (Cambridge University): To ask the President of the Board of Education to what fund the fees for registration paid by teachers under Section 4 (a) of the Board of Education Act, 1899, are placed; whether those fees will be refunded should Clause 25 of the Education Bill become law; and whether the Board have registered teachers under the above section since the introduction of the Bill.

(*Answered by Mr. Birrell.*) (1) Under the Order in Council the registration fees paid by teachers whose names are entered on the register are placed to the credit of the Teachers Registration Fund from which the expenses of the Teachers Registration Council are met. (2) The passing of Section 25 of the Education Bill would not in itself bring about the abolition of the existing register. It merely removes the obligation at present existing for the establishment and maintenance of a register of teachers. Should the existing register eventually be abolished, the registration fees paid by persons whose names are on it would be refunded to any such persons who applied for it, as I have already stated in Parliament in reply to similar Questions in April, in May, and again in July last. (3) It is not the duty of the Board of Education, but of the Teachers

Registration Council, to register teachers. Since 9th April last 915 names have been entered on the register. I understand that ever since the introduction of the Bill the attention of applicants for registration has been drawn by the Teachers Registration Council to the clause in the Education Bill which would remove the obligation to maintain a register of teachers.

Committal of Young Persons to Prison.

MR. WEDGWOOD (Newcastle-under-Lyme): To ask the Secretary of State for the Home Department if he will say for what offences the 437 persons under sixteen years of age were committed to prison in default of paying fines of 10s. or less in England and Wales during the twelve months ended 31st March, 1906; and how many such persons were committed in respect of each offence.

(*Answered by Mr. Secretary Gladstone*). I regret that I have not got this information. To obtain it I should again have to ask for Returns from every prison in England and Wales, and I am very unwilling, considering the great trouble taken by prison officials to collect materials for answering my hon. friend's Question of the 31st October,† to ask them to examine the cases a second time to supply this further information. My hon. friend will find in tables VIII. and XIII. of the Judicial Statistics a great deal of information as to the offences of which persons under sixteen were convicted.

Local Examinations for Indian Civil Service Candidates.

MR. CHIOZZA MONEY (Paddington, N.): To ask the Secretary of State for India if he can see his way to make arrangements by which Indian candidates for the Indian Civil Service can be examined by the local universities or otherwise in India, so that they may not be put to expense and involved in caste disabilities by coming to England for the purpose of examination.

(*Answered by Mr. Secretary Morley.*) This question formed the subject of an exhaustive inquiry by the Government of India and the Secretary of State in 1893 and 1894, and the correspondence was presented to Parliament in Cd. Paper, No. 7378 of 1894. I am not aware of any new circumstances that would justify a departure from the decision then arrived at.

Mr. Addison's Appointment as Secretary of the Delhi Municipality.

MR. WEIR (Ross and Cromarty): To ask the Secretary of State for India if he will state under what circumstances Mr. Addison, a junior member of the Civil Service of India of three years standing, has recently been appointed to the office of Secretary of the Delhi Municipality; and, seeing that the appointment will result in Mr. Addison having to try cases as a magistrate which it will be his duty as Municipal Secretary to institute, will the expediency of rescinding the appointment be considered.

(*Answered by Mr. Secretary Morley.*) I have no information as to the circumstances of Mr. Addison's appointment, but I will inquire.

Action of Mr. Jack in arresting Ryots at Alipura.

MR. WEIR: To ask the Secretary of State for India if he will ascertain under what circumstances Mr. Jack, a settlement officer in the Patuakhali District of India, was recently engaged in assisting Mr. Kemp, a police superintendent, in searching for lathials, and, seeing that they wrongly arrested as lathials newly settled ryots in the village of Alipura, will he state what action it is proposed to take in the matter.

(*Answered by Mr. Secretary Morley.*) I understand that the proceedings of Mr. Jack have recently been under investigation in a court of law; until the cases connected with them have been decided I see no reason to take any action in the matter.

Reduction of the 40th Brigade Royal Field Artillery.

MR. HART-DAVIES (Hackney, N.): To ask the Secretary of State for War whether it is proposed to reduce the batteries of the 40th Brigade, Royal Field Artillery, to two-gun batteries; if so, whether the change would involve the abolition of a colonel's command and of captains' commands; and if he can state where the 40th Brigade, Royal Field

---

† See (4) *Debates*, clxii., 1092.

Artillery, will be quartered on its arrival in England.

(*Answered by Mr. Secretary Haldane.*) It is not intended, at present, to reduce this brigade to a two-gun establishment; there will therefore be no immediate reduction in officers. Eventually this brigade will become a training brigade, and it will then have a colonel but no captains. Its station on its arrival from India is not yet finally decided on.

Church Parades and Sunday Sports.

MR. SLOAN (Belfast, S.): To ask the Secretary of State for War whether he is aware that on Sunday, 2nd August last, the 16th Brigade of the 8th Division, who were on manœuvres, were compelled to march seven miles to Fermoy to attend Divine service without any rest whatever; if he can state why the 15th Brigade of Infantry and the Artillery, with guns and horses, had to march three miles to Moor Park to attend Divine service, although these are all stationed at Fermoy; and by whose authority on the afternoon of the same date military sports were held.

(*Answered by Mr. Secretary Haldane.*) The General Officer Commanding 8th Division, Cork, reports as follows:—The 16th Brigade marched on Sunday, 2nd September (not August) from Skeheen Mountain camp to Moor Park (not Fermoy), distance seven miles; and two batteries, 31st Brigade, with two battalions, 15th Infantry Brigade, marched from Fermoy to Moor Park, distance three miles, where the remainder of the 31st Artillery and 15th Infantry Brigades were encamped, and where Divine service was held. Major-General Sir William Knox selected this day as the only one on which he could concentrate the whole division to address them before handing over command. The sports held the same afternoon in Moor Park were organised by Sir William, on his own authority, for the amusement of the troops.

Chinese Labour on the Rand.

MR. VERNEY (Buckinghamshire, N.): To ask the Prime Minister whether the Government will reconsider the suggestion made last session of buying out any vested interests in the Chinese labour traffic and bringing it to an end at once in the interests of public policy and of public morality.

(*Answered by Sir H. Campbell-Bannerman.*) I regret that I am not able to adopt the suggestion of the hon. Member, which would not be in accordance with the policy of His Majesty's Government, as frequently explained to the House.

QUESTIONS IN THE HOUSE.

Admiralty Memorandum — Unarmoured Cruisers.

MR. BELLAIRS (Lynn Regis): I beg to ask the Secretary to the Admiralty whether he is aware that the Memorandum on Admiralty policy, issued last November on the advice of the present Sea Lords of the Admiralty, stated that the best of the unarmoured cruisers have been retained for the present, but that it is recognised that they must be allowed to die out within a few years; and whether the three "Invincibles" of the 1905–6 programme are the only armoured cruisers to be laid down under the programmes of 1905–6, 1906–7, and 1907–8 to replace the large number of cruisers numbering over eighty which, in the opinion of the Admiralty, must die out within a few years.

THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): The reply to the first part of the Question is in the affirmative, but the inference in the second part of the Question is incorrect.

First Class Battleships.

MR. BELLAIRS: I beg to ask the Secretary to the Admiralty whether he is aware that thirty-four British first-class battleships have their waterlines at both ends unarmoured, thirteen have unarmoured sterns, and only the most modern thirteen have complete belts; whether all the French and German battleships have complete belts at the waterline; whether his attention has been called to the published opinion expressed last November by the present Sea Lords of the Admiralty concerning certain first-class battleships that their unarmoured ends make them vulnerable to a second-class cruiser, and, if so, will he say what action he proposes to take in the matter.

MR. EDMUND ROBERTSON: The Board of Admiralty are familiar with the constructive details of the ships mentioned in the hon. Member's Question, and no action is considered necessary.

*CAPTAIN HERVEY (Bury St. Edmunds): Is the right hon. Gentleman aware that in the Russo-Japanese War the unarmoured parts of ships had holes torn in them by shell over an extent of ten feet by eight feet?

*MR. SPEAKER: Order, order. The hon. Member ought to give notice of that Question.

The "Xema" Expedition.

MR. FULLERTON (Cumberland, Egremont): I beg to ask the Secretary to the Admiralty whether he is aware that the s.s. "Xema," bound for the Guano Islands on a mineral expedition under the British flag, flying the blue ensign, was stopped by one of His Majesty's cruisers; whether he is aware that His Majesty's cruisers "Crescent," "Terpsichore," and "Pelorus," were in that neighbourhood at the time; whether they were sent to that neighbourhood for the purpose of intercepting the s.s. "Xema"; if so, by whose order the ships were despatched on this mission: and whether the costs of despatching the above cruisers are to be paid by the Government of this country or by the Government of Cape Colony?

MR. EDMUND ROBERTSON: The answer to the first part of the hon. Member's Question is in the negative. His Majesty's ships "Terpsichore," and "Pelorus" were in the neighbourhood of the Guano Islands at the same time as the "Xema," but not His Majesty's ship "Crescent," which was at Simon's Bay. The two vessels first named proceeded to Walfisch Bay to carry out battle practice in accordance with arrangements made by the Commander-in-Chief so far back as June last. On the representation of the Cape Colony Government the Commander-in-Chief directed them to call at the Guano Islands en route. The "Terpsichore" found the "Xema" there, but took no action beyond warning her master of the Cape Government's proclamation against landing, and immediately left for Walfisch Bay. The "Pelorus" passed the islands without sighting the 'Xema." The point raised in the last art of the Question does not arise.

The Disturbances at Portsmouth Naval Barracks.

MR. GODFREY BARING (Isle of Wight): I beg to ask the Secretary to the Admiralty whether he can give the House any information as to the cause of the recent insubordinate conduct amongst the naval stokers at the Naval Barracks, Portsmouth.

*MR. EDMUND ROBERTSON: A court of inquiry has been constituted to inquire into the whole Question. Their report is not expected until next Monday, and in the meantime it will not be possible for me to make any statement.

MR. DALZIEL (Kirkcaldy Burghs): Can the right hon. Gentleman say whether he has any information to justify the belief that an order was given with the intention of punishing and humiliating the men? Will the men have full opportunity of stating their case before the inquiry?

*MR. EDMUND ROBERTSON: There is no doubt.

MR. BELLAIRS: Can the right hon. Gentleman favour the House with the terms of reference?

*MR. EDMUND ROBERTSON asid the terms of reference would include inquiry into the general circumstances of the disturbance.

MR. DALZIEL: Will it include inquiry into the character of the officer and the allegations made against him?

*MR. EDMUND ROBERTSON: I cannot say anything further on the subject.

MR. BOWLES (Lambeth, Norwood): Is it the present intention of the Admiralty to lay the report before the House?

*MR. EDMUND ROBERTSON: The practice has not been to make public important documents of that kind. They are intended for the opinion of the Admiralty; but the action of the Admiralty will be made public.

MR. KEIR HARDIE (Merthyr Tydvil): Will the men be represented on the Court?

*MR. EDMUND ROBERTSON: The court will consist of a rear-admiral and a commodore.

The Home Fleet.

MR. F. E. SMITH (Liverpool, Walton): I beg to ask the Secretary to the Admiralty, with reference to Clause 3 of the Admiralty Memorandum of the 24th October, how many ships will be withdrawn from the Channel, Mediterranean, and Atlantic Fleets in the process of organising the new Home Fleet; how is the statement in Clauses 1 and 3, that a distinct Fleet will be constituted from the ships in commission in reserve, reconciled with the further statement in Clause 3, that the existing sea-going Fleets are to be reduced for the purpose; with reference to the statement in Clause 2 that the vessels first required in war will have the largest complements what proportion will such complements bear to full complements; what is considered an adequate complement of officers and men for ships in special reserve (Clause 2); and what will be done with the ships in special reserve which are replaced by other ships (Clause 2).

MR. EDMUND ROBERTSON: The hon. and learned Member invites me to make a series of statements respecting the details of the scheme for the redistribution of the Fleet. As that scheme is still in course of development, and will not assume a complete shape for some months, it is not possible to give any definite information at present as to points of detail; nor, if possible, would it—in the opinion of the Admiralty—be in the interests of the public service to do so. I hope the hon. and learned Member will, in the meantime, be content with the assurance given by the Prime Minister to the hon. Member for Gravesend, that the Admiralty consider that the redistribution of ships about to be made adds to the fighting efficiency of the Fleet.

*CAPTAIN HERVEY: Can the right hon. Gentleman give the House an assurance that no man shall be kept in barracks who is available for drafting to one of the ships of the newly-constituted Home Fleet?

MR. EDMUND ROBERTSON: I will submit the suggestion to my colleagues at the Admiralty, but there is no intention to increase the number of men in barracks.

CAPTAIN HERVEY: Is there any intention to decrease the number of men in barracks?

MR. EDMUND ROBERTSON: We believe that the net result of the scheme, which is still incomplete, will be an increase and not a diminution of the sea-service officers and men, taken as a whole.

Obsolete Battleships.

MR. F. E. SMITH: I beg to ask the Secretary to the Admiralty, whether in view of the fact that the Admiralty have placed the six so-called first-class battleships, "Sanspareil," "Anson," "Camperdown." "Benbow," "Howe," and "Rodney," in the class of obsolete warships on which no money is spent for maintenance, their names will be removed from the next annual Return of Fleets (Great Britain and Foreign Countries) when at present they appear in the list as first-class battleships; and whether he can explain why these ships appear in the Navy List, while a number of cruisers in the same class of the reserve have had their names removed from the Navy List.

MR. EDMUND ROBERTSON: The question of removing the six battleships named from the next annual Return of Fleets will certainly be considered. The hon. and learned Member does not mention the names of the cruisers to which he refers, but I am informed that there are no cruisers in the same class of reserve as that to which the ships mentioned by the hon. and learned Member belong.

*CAPTAIN HERVEY: Will the right hon. Gentleman undertake that the annual Return of the ships presented to this House shall include only those ships which are considered by the Admiralty as efficient for taking their place in the line of battle?

MR. EDMUND ROBERTSON: The Return is made in obedience to the order of this House, and perhaps that order will have to be amended.

*Captain HERVEY: Will the right hon. Gentleman see that the order of the House is amended?

Mr. EDMUND ROBERTSON: I am desirous that the Return should give an accurate, complete and faithful picture of the strength of the Navy.

Mr BELLAIRS: Have the Admiralty received any protest from the mover of the Return against the form in which it is given?

*Sir CHARLES DILKE (Gloucestershire, Forest of Dean): I never made a protest because the Return must be made in the form which the Admiralty think most convenient.

Army Service Corps.

Sir HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for War what steps he proposes to take to attract the best officers of the Army to the Army Service Corps, and so re-establish it in the high position it should fill in public estimation, having regard to the importance of its duties to every soldier in peace or war.

The SECRETARY of STATE for WAR (Mr. Haldane, Haddington): There is no lack of suitable candidates for the Army Service Corps. Measures are under consideration to ensure that selected officers of this corps shall undergo technical training in the higher duties of military administration.

St. Helena.

Mr. HICKS BEACH (Gloucestershire, Tewkesbury): I beg to ask the Secretary of State for War what was the cost of maintaining the garrison at St. Helena during the last financial year; and what economy it is anticipated will be realised by the removal of the troops to other quarters.

Mr. HALDANE: The cost of the garrison of St. Helena in 1905-6 was approximately £35,000. Practically the whole sum will be saved by the removal of the garrison, as the troops withdrawn are not required for service elsewhere.

Employment for Discharged Soldiers.

Colonel WARDE (Kent, Medway): I beg to ask the Secretary of State for War whether he can state how many soldiers who served in the South African War and have since been either passed to the Reserve or discharged have been given employment in Government Departments.

Mr. HALDANE: No, Sir, the information required is not in the possession of my Department.

Mr. CLAUDE HAY (Shoreditch, Hoxton): Will the right hon. Gentleman, as the Minister responsible for the Army, take steps to ascertain from other Departments how many soldiers have been given employment?

Mr. HALDANE: I do not know if there is material from which to gain the information.

Mr. CLAUDE HAY: If a Return is moved for will the right hon. Gentleman agree to it?

Mr. HALDANE: I do not know if I am in a position to do that.

War Office Allotments at Fittleton.

Mr. ROGERS (Wiltshire, Devizes): I beg to ask the Secretary of State for War whether he is aware that the allotment holders on War Office property in the parish of Fittleton, Wilts, were informed, when they went to pay their rents for the past year, on the 17th October, that the rents had been increased by ¼d. a pole, without due notice having been given to the tenants of such increase; and that the alleged reason is to make the tenants pay the cost of rates on the land; and whether, in view of the fact that the rents are already fully commensurate with the value and situation of the land, and have been hitherto, as in the case of neighbouring allotments on War Office property, taken to include payment of rates, he will inquire what justification exists for disturbing the existing terms on which these allotments are held.

Mr. HALDANE: The rents were raised as stated. It appears from the inquiry that has been made that the rents can be raised only by determining the agreement except with the tenants' consent, and that the agreement can only be determined by three months' notice expiring at Michaelmas being given.

As this notice was not given this year, instructions have been issued to refund to the allotment holders the amounts of rates levied in the shape of increased rents. I may add that the sum in question is £1 11s. 3d. per annum only, which is spread over some twenty-five allotments.

MR. ROGERS: Do not the rents represent the full value of the land?

MR. HALDANE: I will inquire.

Private Contractors and Government Contracts.

MR. BARNES (Glasgow, Blackfriars): I beg to ask the Secretary of State for War if there is any agreement between the Government and private contractors as to the allocation of contracts for war materials and stores; and, if so, will he inform the House as to its terms.

MR. HALDANE: As regards allocation of orders between the Ordnance Factories and the trade, there is no agreement with private contractors, nor are there any fixed proportions governing the allocation of various stores, but for guns there is a general understanding with the trade that as a rule the proportion shall be one-third for the Ordnance Factories and two-thirds for the trade. Also that the rough forgings for the large guns allotted to Woolwich shall be ordered from the steel trade. The allocation of orders is dealt with each year on the amount of the orders required for the year.

Discharges from Woolwich Arsenal.

MR. BARNES: I beg to ask the Secretary of State for War what is the number of workmen (producers) discharged during the year from the Woolwich Arsenal, and also the number of officials; also the number of workmen (producers) retained, and the number of officials.

MR. HALDANE: The figures asked for are as follows:—

Period.	Number of Discharges.			
	Workmen Producers.		Officials.	
	Reduction.	Other Causes.	Reduction.	Other Causes.
From week ending 6th January, 1906. To week ending 27th October, 1906.	1,128	458	21	46
	Workmen producers.		Officials.	
Strength on 27th October, 1906.	12,291		1,490	

Cost of Production at Woolwich Arsenal.

MR. BARNES: I beg to ask the Secretary of State for War, if he can supply the House with particulars as to the cost of war materials and stores produced at the Woolwich Arsenal, and the cost of similar materials and stores purchased from private contractors.

MR. HALDANE: The cost of stores produced at Woolwich Arsenal is given in the annual accounts of the Ordnance Factories. It is not the practice to divulge the prices paid for similar stores to private contractors.

MR. BARNES: I beg to ask the Secretary of State for War if he is aware that, while discharges of workmen have been carried out at Woolwich Arsenal and expensive plant of the nation made non-productive, the private contractors engaged in the manufacture of war material and stores have been well employed.

Mr. HALDANE: No, Sir, the information at my disposal does not bear out the hon. Member's statement as regards those firms having been well employed on the orders of this Department. As I stated on the 31st ultimo, in reply to a Question of my hon. friend the Member for North Paddington,[†] I am satisfied that the Government factories have received the fullest possible proportion of the Government orders for war material.

Mr. BARNES said his Question was as to the allocation of the work having regard to the fact that the other places were busy. He wanted to know what the other works were doing.

Mr. HALDANE said he was only dealing with Government work. There was a certain amount of material which the Department must order in part, at any rate, from contractors. They could not break the practice, because it was necessary to encourage other establishments in case of an outbreak of war. Their first care, however, was for their own factories.

Mr. HIGHAM (Yorkshire, W.R., Sowerby) inquired whether it was not the fact, while orders were given to certain private firms in order to ensure a reserve of machinery, that when it came to a time of war there was no reserve of machinery, and that every machine which was capable of turning out Government work was employed.

Mr. HALDANE: I cannot say whether that is so.

Mr. KEIR HARDIE asked what proportion of Government orders was given to private factories?

*Mr. WALTERS (Sheffield, Brightside) asked whether the workmen employed by private factories were not as deserving as those employed by the Government.

Mr. DALZIEL asked whether, when an undertaking was given to supply certain factories with work for a certain number of years, the possibility of discharges from the Arsenal was taken into account.

Mr. HALDANE: Yes, that is considered.

Mr. CROOKS (Woolwich) asked whether contractors who were now taking particulars of work at the Arsenal paid a bonus for the information which was being supplied from the Arsenal, and whether he was aware that the contractors were in the Arsenal getting the information day after day. If they were foreigners they would be locked up.

Mr. HALDANE said that if such a thing were brought to his notice he would deal with it very sharply.

Mr. CROOKS: They are there. Two were there on the 6th inst.

Crimean and Indian Mutiny Veterans.

Sir GEORGE DOUGHTY (Great Grimsby): I beg to ask the Secretary of State for War how many Crimean War and Indian Mutiny veterans are inmates of workhouses, and how many are in receipt of out-door relief; what are the maximum and minimum pensions given to such pensioners; and whether he will consider the advisability of arranging that old soldiers who have merited a pension and whose infirmities or age prevents them following any occupation should be awarded such an allowance as will prevent them applying for poor law relief, or being wholly or in part dependent upon charity.

Mr. HALDANE: With regard to the first clause of the Question, the information asked for is not in my possession; as regards the second clause, the minimum pension to those in necessitous circumstances is 9d. a day, which is increased to 1s. a day when the veteran reaches the age of seventy. Moreover, when the veterans have been wounded or discharged for disability or are suffering from a disability due to military service, these pensions are raised to 1s. 6d. a day for a private, 2s. for a corporal, and 2s. 6d. for a sergeant. The

---

See (4) *Debates*, clxiii., 1089.

provision made for these old soldiers appears to me to meet the necessities of the case.

Discharges from Netley Hospital.

MR. T. L. CORBETT (Down, N.): I beg to ask the Secretary of State for War whether he will postpone the discharge of invalids unfit for work from Netley Hospital until the House of Commons has had an opportunity of considering what provision can be made for them.

MR. HALDANE: I am afraid that, as I intimated in answer to a supplementary Question on the 5th instant,† until Parliament places the necessary money in Army Estimates, I cannot undertake to depart from the course being followed. The Question does not refer to people suffering from wounds, but to people suffering from ordinary illness contracted a long time ago. It is absolutely necessary, in the interests of mercy, that they should give place to more urgent cases. The number of beds is strictly limited, and if they were occupied by people who were merely bedridden they would be depriving others, for whom the accommodation is absolutely essential, of the opportunity of treatment. The course which is being taken is that which is taken in the other great hospitals in the country.

MR. T. L. CORBETT asked whether the right hon. Gentleman would not, in the circumstances, postpone the discharge of these invalids till the House had had an opportunity of giving him the provision which he had no doubt it would give.

MAJOR SEELY (Liverpool, Abercromby) asked whether the right hon. Gentleman would make inquiries into the facts of the case. Were there not many hundreds of beds unoccupied? If that was the case, if he had been misinformed, would he consider the advisability of giving these unfortunate men a certain amount of respite?

MR. HALDANE: If there are unoccupied beds, that would be a reason for not being in a hurry. I will undertake to inquire, and if that is so, to take more time in the matter. It is obvious, however, that these invalids are proper people for a home.

MR. T. L. CORBETT pressed the right hon. Gentleman to give a pledge that those invalids who were unfit for work would not be turned out of the hospital until the House had had an opportunity of considering their case. If the right hon. Gentleman refused to give such a pledge, he intended to ask leave to move the adjournment of the House.

MR. J. WARD (Stoke-on-Trent) hoped the right hon. Gentleman would consider whether he might not make an exception at least in those cases where the illness was contracted while the men were on foreign service.

MR. HALDANE: Where the illness has arisen in the service of the nation or is due to some accident in the public service there would be a strong case for consideration. I will consider that case.

MR. J. WARD said he had a case in mind.

MR. HALDANE: I will consider that case and what my hon. and gallant friend has put to me, but I can give no further pledge.

Newfoundland Modus Vivendi.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean): I beg to ask the Under-Secretary of State for the Colonies whether he is aware that in the case of the *modus vivendi* of 1890, on which it was stated by His Majesty's Government that the Government of Newfoundland were consulted, it being modified to meet their views, though not assented to by the Colony, Sir Baldwin Walker was successfully sued for damages which were afterwards paid by the British taxpayer: and whether, having regard to the two judgments in the Baird case, the provisions of a Newfoundland Act can be over-ridden by Imperial administrative arrangements not based on statute.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): I am aware of the legal proceedings against the late Sir Baldwin Walker to which the right hon. Member refers and of their result; but I am unable, in answer to a Question, to discuss their bearing upon the present situation.

---

† See Col. 109.

Labour in Johannesburg Mines.

MR. FELL (Great Yarmouth): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been called to the annual report of the Simmer and Jack Proprietary Mines of Johannesburg, wherein it is stated that in 1899, when Kaffirs were employed, for every 1,000 Kaffirs there were employed 130 white men, whilst in 1906, when Chinese and Kaffirs were employed, there were 156 white men employed for every 1,000 Chinese and Kaffirs, showing that with Chinese this great mine employs 19 per cent. more white labour than with Kaffirs before the war; and whether he will cause inquiry to be made whether the proportion of white men working at the producing mines has increased or diminished since the introduction of the Chinese.

MR. CHURCHILL: I have seen an account of the general meeting of the mine referred to in which the statement occurs that "through the general efficiency of the Chinese nearly 20 per cent. more white labour is now being employed than was the case with the Kaffirs before the war." The official figures for May, 1904, and August, 1906, show that in the former month the proportion of white men working on the producing mines on the Rand was 177 per thousand and in the latter month 118 per thousand, or a diminution of 33 per cent.

Chief Tilonko's Appeal.

MR. BYLES (Salford, N.): I beg to ask the First Lord of the Treasury if he is aware that the native chief Tilonko made application to the Judicial Committee of the Privy Council on Friday last for special leave to appeal to His Majesty in Council against the decision of a court-martial in Natal which had sentenced him to ten years penal servitude and a fine of 500 head of cattle; that the application was dismissed with the costs on the ground that there was no right of appeal; that Tilonko's objection to the jurisdiction of the court-martial was on the grounds that he was not a military man, that he had not been taken in the field, that he had never taken up arms against the Government, and that the civil Courts were sitting at the time of his trial; and whether any power resides in the Imperial Government to abate the heavy sentence awarded by court-martial on this distinguished subject of His Majesty.

MR. CHURCHILL: I have seen the account of the proceedings before the Judicial Committee of the Privy Council in *The Times* of the 3rd instant, when their Lordships decided that they could not entertain an appeal. His Majesty's Government are not in a position to interfere in the matter.

Egyptian Irrigation.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Secretary for Foreign Affairs whether having regard to the fact that of the 50,000,000 tons of Nile mud which pass through the Assouan dam annually it is estimated that 30,000,000 tons are lost in the sea, while only 20,000,000 tons are utilised as manure, he will advise the Egyptian Government to adopt measures whereby such a large amount of waste may in future be prevented.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD GREY, Northumberland, Berwick): The Egyptian Government are fully aware of the importance of utilising the Nile flood to its fullest extent, and large sums are yearly spent in improving the irrigation system of the country. Irrigation has made very great progress in the last few years, and the progress will be continued, but it must be gradual.

Egyptian Capitulations.

MR. J. M. ROBERTSON: I beg to ask the Secretary of State for Foreign Affairs whether further action has been taken by the Egyptian Government in sequence to the circular which, as Lord Cromer states in his Annual Report for 1905, page 2, was addressed to the Powers suggesting, in anticipation of a renewal in February, 1905, of the functions of the Mixed Tribunals in Egypt, certain reforms in the working of the Egyptian capitulations; and whether he will lay upon the Table of the House copies of the replies received to that circular, and other information showing the present state of the negotiations.

SIR EDWARD GREY: The circular, to which the hon. Member alludes, invited the Powers to take part in an International Commission to consider the question of making certain changes in the law and procedure of the Mixed Courts. The assent of all the Powers having been obtained, the Commission commenced their deliberations, with the result that in March last, five draft laws applicable to foreigners, which had been drawn up by the Commission, were submitted to His Majesty's Government for their approval. His Majesty's Government notified their approval to the Government of Egypt in April, but I have not yet been informed whether the approval of all the other Powers has been obtained. The only correspondence of which His Majesty's Government have cognisance, is that between them and the Government of Egypt, the purport of which I have already notified above. The replies of the other Powers will doubtless be dealt with in Lord Cromer's Annual Report, which will in due course be laid before the House; the matter does not appear to His Majesty's Government to be of sufficient urgency to warrant the immediate publication of separate papers.

Egyptian Imports of Alcoholic Liquors.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Secretary of State for Foreign Affairs whether he will procure from the Egyptian Government, for the information of the House, a statement as to amounts and values of alcoholic liquors imported into Egypt during each of the years 1900 to 1906, showing the places of origin and destination and the nationalities of the consignors and consignees; also a statement of the number of distilleries and breweries for the manufacture of alcoholic liquors, showing in each case the towns and provinces in which they are situated, and the amounts and values of the outputs together with the nationalities of the proprietors for each of the years between 1900 and 1906.

SIR EDWARD GREY: I will make inquiry and get as much of the information asked for as is obtainable.

The Admission of Undesirable Aliens.

MR. FELL: I beg to ask the Secretary of State for Foreign Affairs if his attention has been called to the frequent cases in which foreign Governments refuse permission to land to undesirable aliens who are refused permission to land in England and are returned to the ports whence they sailed, also to the cases of aliens who are sentenced to deportation by our Courts; and whether he will consider the advisability of some international arrangement under which each country should be obliged to provide asylum for its own native subjects when for any reason they are expelled from a foreign country.

SIR EDWARD GREY: I am aware of certain cases of the nature described. The matter is regarded by His Majesty's Government as one of importance, and is engaging the consideration of my right hon. friend the Home Secretary and of myself.

Loughborough Brush Company and the Truck Act.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the fact that the Loughborough licensing justices have granted a licence to the brush company at Loughborough for the sale at their works of intoxicating liquors for the benefit of those workmen who are living on the premises during the present dispute; and whether, seeing that such permission makes such premises so licensed a public-house, and in view of the provisions of the Truck Act, he proposes to take any, and, if any, what, steps in the matter.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): Yes, Sir. I have made inquiry into the matter, but so far as I am able to judge from the facts which have been brought to my knowledge, I cannot find that any breach of the Truck or other Acts has taken place. The magistrates appear to have been within their powers in granting the licence.

Mining Royalties.

MR. FULLERTON: I beg to ask the Secretary of State for the Home Department whether he can state the value of the mineral royalties which have been paid during the past five years in the counties of Cumberland, Northumberland, and Durham, respectively.

Mr. GLADSTONE: I have no information as to the amount paid in mining royalties in these counties later than that which is contained in the Report of the Royal Commission on mining royalties in 1893; but my hon. friend will find particulars as to the rates in question in Paragraph 19 of that Report.

Case of Richard Flynn.

Mr. O'GRADY (Leeds, E.): I beg to ask the Secretary of State for the Home Department whether representations were made to the Home Office on 4th April, 1906, respecting the case of Richard Flynn, who was arrested, convicted, and sentenced at the Clerkenwell Sessions, 7th June, 1905, for an alleged watch robbery; whether he is aware that in the first trial, on 6th June, 1905, the jury after due deliberation did not agree that Flynn was guilty, and that he was accordingly discharged, but was arrested next day, 7th June, 1905, tried upon the same charge, and convicted, and that the detective, Burrell, who made the charge against Flynn was the same officer who had a case before the Marylebone Police Court on 24th May, 1905, in which Flynn gave evidence in favour of the innocence of the accused; whether he is aware that Flynn was arrested outside the Marylebone Police Court on the mere statement of someone in court who alleged that he recognised Flynn as one of a gang concerned in a watch robbery; and whether, having regard to these circumstances, he will institute inquiries with a view to ascertaining whether justice has been done.

Mr. GLADSTONE: The whole case has received the most careful consideration both from myself and from the late Home Secretary. Flynn was recognised at the Marylebone Police Court on the 24th May, 1905, by two persons as the man who was concerned with another in a robbery committed on one of them; these persons were most positive in their identification and the police would have altogether failed in their duty if they had not arrested and charged him with the felony. On the 6th June, the first jury empannelled to try the charge could not agree; Flynn, of course, was not discharged, but following the ordinary course, he was put up for trial by a second jury, who, after a careful hearing, found a verdict of guilty. In consequence of his strenuous assertions of innocence the police instituted most exhaustive inquiries in the case, but failed to discover any facts that would have justified the Secretary of State in advising the remission of the sentence. Another man, however, surrendered and confessed to being concerned in the robbery; he was arraigned on that charge and pleaded guilty. The case was full of difficulty, and far too complicated to allow of my attempting any *résumé* of the facts within the limits of an Answer, but I may say that I entirely agree with my predecessor's decision to release Flynn from prison, and also with his well-considered opinion that the case was not one for recommending any grant of compensation from public funds.

Mr. O'GRADY: Is the right hon. Gentleman aware that the detective actually threatened Flynn when he gave evidence in another case?

Mr. J. WARD: Is there no evidence of bias and malice on the part of the detective, and under these circumstances should not Flynn be compensated?

Mr. GLADSTONE: He got the benefit of the doubt. I do not think we can go beyond that.

Case of Elizabeth Perkins.

Sir GEORGE DOUGHTY (Great Grimsby): I beg to ask the Secretary of State for the Home Department, if his attention has been called to the case of Elizabeth Perkins, who was recently charged at the Tower Bridge Police Court with perjury on the evidence of three police constables and a female searcher, but who was discharged without a stain on her character, the police authorities admitting that a mistake had been made, and agreeing to pay her expenses; and what compensation he proposes to pay this woman for the serious injury done to her.

Mr. GLADSTONE: I beg to refer the hon. Member to the full statement which I made yesterday in answer to the Questions put to me by several hon. Members.†

---

† See col. 540.

SIR GEORGE DOUGHTY: Is it proposed to appoint a Committee of Inquiry into the circumstances of this case and into the efficiency or otherwise of the officer who committed this blunder?

MR. GLADSTONE: No, Sir.

Heavy Sentence at the Bedford Quarter Sessions.

MR. THORNE (West Ham, S.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the cases of George Woods and William Charles Hutchinson, who were sentenced to penal servitude for five years by the recorder, Mr. W. Russell Griffiths, at the Bedford Quarter Sessions, for breaking window panes; and if he will consider the possibility of reducing their sentences, considering the circumstances under which the offences were committed and there being no previous conviction against them.

MR. GEORGE ROBERTS (Norwich): At the same time may I ask the Secretary of State for the Home Department whether his attention has been called to the sentence of five years penal servitude passed by the Bedford Recorder at the Borough Quarter Sessions on two men for breaking a plate glass window in High Street, Bedford; and whether in view of the punishment awarded and the character of the crime, he will take steps to secure a reduction of the sentence.

MR. GLADSTONE: This extraordinary case was brought to my notice some days ago by my hon. friend the Member for Bedford. I inquired into it at once, but I am not yet in possession of all the facts, and perhaps the hon. Member will repeat his Question.

Case of Max Nettlau.

MR. KEIR HARDIE: I beg to ask the Secretary of State for the Home Department whether it has been reported to him that M. Max Nettlau was refused permission to land in this country because he refused to undergo a medical examination under the terms of the Aliens Act; whether he is aware that Dr. Nettlau is a Doctor of Philosophy who for twenty years past has paid an annual visit to this country for the purpose of studying at the British Museum; and whether he will give instructions to prevent a recurrence of such an incident.

MR. GLADSTONE: I have this matter under my consideration, and I shall be glad if the hon. Member will postpone his Question for a few days.

*MR. BYLES (Salford, N.): Is it not possible to introduce a Bill to repeal this inhospitable and un-English Act?

[No Answer was returned.]

Committals for Trial.

MR. BOTTOMLEY (Hackney, S.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the number of cases in which persons are kept in prison for long periods before being brought to trial; whether he is aware that, according to the judicial statistics for 1904, eighteen persons were acquitted after having been kept in prison for several months before trial; and whether he will take any steps to remedy this state of things.

MR. GLADSTONE: I have had under my consideration the statistics to which the hon. Member refers, and have consulted the Lord Chancellor and the Lord Chief Justice with regard to the long delay which occasionally occurs before prisoners can be tried. The result was that in August last I issued a circular strongly urging on magistrates the importance of granting bail more freely in proper cases to prisoners committed for trial.

Judicial Statistics.

MR. BOTTOMLEY: I beg to ask the Secretary of State for the Home Department, when the judicial statistics for the year 1905 will be published.

MR. GLADSTONE: The preparation of these statistics is an enormously heavy task, but I hope that if no fresh demands are made upon the Statistical Department of the Home Office, the criminal statistics may be published in about six weeks.

Child Life Insurance.

MR. LEIF JONES (Westmoreland, Appleby): I beg to ask the Secretary of State for the Home Department whether his attention has been given to the number of cases in which parents draw considerable sums from insurance companies on the death of their infant children through neglect and ill-usage; and whether he will take steps, by legislation or otherwise, to put an end to the practice of infant insurance.

MR. GLADSTONE: Cases of the nature referred to have, occasionally, come to my notice. I beg to refer to the Answer which I gave in this House on the 16th July last to the hon. Member for the Chesterfield Division of Derbyshire,† in which I explained the law on the subject, and I may add that the matter is under the consideration of my hon. friend the Secretary to the Treasury, who hopes, if opportunity offers, to introduce legislation further limiting the sums of money which can be obtained in this manner.

Quarry Accidents.

MR. ELLIS DAVIES (Carnarvonshire, Eifion): I beg to ask the Secretary of State for the Home Department what steps, if any, have been taken in view of the statement on page 99 of the Reports on Mines and Quarries for 1905 (Labour) that accidents by falls would be reduced if more quarries were worked in steps or galleries instead of with a vertically continuous face of great height; whether he is aware that 33 per cent. of fatal accidents in quarries are due to falls; and whether, under those circumstances, the Report has been brought to the attention of quarry owners with a view to their adopting the gallery system wherever practicable.

MR. GLADSTONE: No special steps have been taken to bring this particular remark to the notice of the quarry owners. The Report itself is widely circulated by the Home Office, and is reviewed at length in the trade papers. The point is no doubt present to the minds of all the inspectors, but they have no power to direct the adoption of any particular method of working. Special precautions against falls are contained in Nos. 1, 2 and 3 of the Code of Special Rules for Quarries which has been established at a large number of quarries. These are enforced by the inspectors. Quarry legislation is one of the numerous subjects which call for my attention.

Borough Council Elections.

MR. C. J. O'DONNELL (Newington, Walworth): I beg to ask the Secretary of State for the Home Department whether he is aware that a number of voters were shut out and prevented from voting at the recent borough council elections in consequence of the polling stations being closed at 8 p.m., and whether it is the intention of the Government to introduce legislation next year to extend the hours of polling to 10 p.m.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. RUNCIMAN, Dewsbury): Perhaps I may be allowed to answer this Question. I do not find that the Local Government Board have received any representations as to voters being prevented from voting at the recent elections of borough councillors on the ground to which my hon. friend refers. Note will be taken of the suggestion for legislation on the subject, but no promise could be given at the present time to introduce a Bill with regard to it next year.

Loch Ryan Oyster Fishery.

MR. BARRIE (Londonderry, N.): I beg to ask the President of the Board of Trade whether his attention has been called to the action of the Loch Ryan Oyster Fishery Company in laying on the solum of the loch quantities of broken bricks and also boxes filled with stones; and, seeing that such action is a danger to shipping using the loch, which is of shallow depth, and is an important waterway between Scotland and North of Ireland, whether he will cause the practice to be prohibited in future, and also cause the present obstructions to be removed.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. LLOYD-GEORGE, Carnarvon Boroughs): The attention of the Board of Trade has been called to the matter to which the hon. Member refers. It would take too long for me to read out the details of the case, but I shall be happy to show them afterwards to the hon. Member.

The Ladies' College, Cheltenham.

MR. O'GRADY: I beg to ask the President of the Board of Education whether his attention has been called to the refusal of the authorities at the Ladies' College, Cheltenham, the college being on the list of the Board of Education training colleges for elementary school teachers, to accept a pupil from the Leeds City Council Thoresby High School for Pupil Teachers, who, in accordance with the regulations, applied for admission; whether he can state that, in applying for admission to the Ladies' College, Cheltenham, the social *status* of the applicant determines admission; and, if so, seeing that the college in question is subsidised to an extent from public funds, what steps he intends to take in the matter.

---

† See (4) *Debates*, clx., 1335.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. BIRRELL, Bristol, N.): My attention has not been called to any such case as that described in the Question, except by private correspondence with a Member of this House, in which no details of the case were given. I have no information whatever as to the grounds on which the College authorities refused admission. If the hon. Member will cause the case of the girl who was refused admission to be officially submitted to the Board, I will have it carefully investigated, as indeed I had already promised to the hon. Member who first named the matter to me.

Bibles for Non-Provided Schools.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash): I beg to ask the President of the Board of Education whether, in the West Riding of Yorkshire, the Local Education Authority have refused to provide Bibles for use in the non-provided schools while making no such refusal in the case of the provided schools; and, if so, whether he will take steps to prevent such inequality of treatment in future.

*MR. CLOUGH (Yorkshire, W.R., Skipton): Before the right hon. Gentleman answers the Question, is it not the fact that local education authorities are under no obligation to provide Bibles, catechisms, or any other religious textbooks in denominational schools, and has not the Court of Appeal decided that the West Riding local authority has no control over, and consequently no responsibility whatever regarding religious instruction of any sort in non-provided schools?

MR. LANE-FOX: I will furnish the right hon. Gentleman with particulars of a case.

MR. BIRRELL: No information has reached the Board of Education with regard to any such action on the part of the West Riding.

DR. MACNAMARA (Camberwell, N.): Are we to understand that, so far as the right hon. Gentleman knows, there exists in this country a single denominational school not adequately supplied with Bibles by the managers, having regard to their well-known zeal for religious teaching?

[No Answer was returned.]

Tenants of Crown Lands.

MR. HARMOOD-BANNER (Liverpool, Everton): I beg to ask the hon. Member for South Somerset, as representing the Board of Agriculture, whether he will inform the House of the number of notices to quit served upon the agricultural tenants of Crown lands, specifying the length of previous occupation by such tenants and the special reasons given for terminating such tenancies; and what steps are being taken to form such lands when vacated into small holdings, and where such lands are situate.

SIR EDWARD STRACHEY (Somerset, S.): In consequence of the death of two of the Crown tenants, notice to quit has been given to their representatives. The tenants in question had occupied their farms, which are situated at Holbeach and at Walpole St. Andrews and Wingland, for twenty and fifteen years respectively. The farms referred to will not come in hand till next Michaelmas, and my noble friend is unable at present to make any statement as to the use that will be made of them. In addition, before my noble friend was appointed a Commissioner, notice to quit was given in the case of a farm near Scarborough, on the ground that the tenants did not themselves occupy the land, but were merely middlemen and that land was required by the Local

Authority for small holdings and allotments.

Crown Receiver.

MR. HARMOOD-BANNER: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether it is intended to dismiss the present Crown Receiver; and, if so, for what reason; what steps are being taken to fill the position; what qualifications will be required for the position; and what remuneration will be paid to the next Receiver.

SIR EDWARD STRACHEY: Notice has been given to the two firms who act at present as agents for the Crown lands that their services will not be required in future so far as concerns the agricultural properties which are to be placed under the charge of my noble friend. My noble friend desires me to say that the change of agency is not intended in any sense as a reflection on the honourable and conscientious manner in which the two firms in question have performed their duties, but that for the execution of the policy of utilising as far as possible the Crown lands for small holdings it is necessary to have agents who have had practical experience of the kind of work that will have to be done. Negotiations are now proceeding as to the appointment of new agents, but I cannot make any definite announcement on the subject at the present time. I may add that the Land Revenue Act, 1829, requires that every Crown Receiver should be "by profession a surveyor of lands or land steward, and accustomed to act as such, or otherwise skilled in the management and cultivation of lands, and competent to the superintendence thereof."

MR. HARMOOD-BANNER: How many years have these gentlemen acted for the Crown?

SIR EDWARD STRACHEY: I cannot say. It would be a considerable time.

Land Tenure Bill.

MR. PARTINGTON (Derbyshire, High Peak): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if he can give an estimate of the cost of making the records of the conditions of farms under Clause 8 of the Land Tenure Bill.

SIR EDWARD STRACHEY: I am afraid it is impossible to give any estimate of the cost of making the records referred to. It will be a matter of arrangement between the parties in each particular case, and will obviously depend on the size of the farm and the amount of work involved.

Prosecutions for Corrupt Electoral Practices.

MR. CLAUDE HAY: I beg to ask Mr. Attorney-General whether he will state the number of the cases, giving the names and places of the persons implicated, in which proceedings, and the nature of those proceedings, have been taken by the Treasury under the Corrupt Practices Act in respect of the general election of January, 1906.

THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.): I have already answered this Question. I shall be glad to furnish the hon. Member with a list of the cases if he desires.

King's Bench Trials.

MR. BOTTOMLEY: I beg to ask Mr Attorney-General whether he is aware that 70 per cent. of the cases tried in the King's Bench Division are in respect of sums of £100 and less; and whether he will advise a modification of the Order in Council, issued under the County Court Act, 1903, in order that such cases may be dealt with in the county courts.

SIR JOHN WALTON: I do not think a modification of the Order in Council would quite meet the case to which the hon. Gentleman calls attention. Legislation would be required, and I am not prepared to advise at present that that course be adopted.

Scottish History.

MR. GULLAND (Dumfries Burghs): I beg to ask the Secretary for Scotland whether the Scottish Education Department intends to take any definite steps to remedy the neglect in Scottish schools of Scottish history complained of by the Convention of Royal Burghs, and admitted in the recent Report on Secondary Education.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): The responsibility for what history shall be taught in their own schools and what text-books shall be used rests in the first place upon school boards and school managers. But the Department has under consideration the advisability of issuing for the guidance of managers and teachers suggestions for the teaching of several school subjects, including history. The suggestions for the teaching of history will deal with the point mentioned by the hon. Member.

MR. GULLAND: Will the right hon. Gentleman recommend Sir Walter Scott's *Tales of a Grandfather* as a text-book?

MR. SINCLAIR: I shall be glad to consider that suggestion.

Salaries of Irish National School Teachers.

MR. VINCENT KENNEDY (Cavan, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he has received a Resolution from the Blacklion and Dowra Teachers' Association, drawing attention to the miserable salary paid to Irish national school teachers, to inadequate pensions, and to the delay in advancement and promotion of teachers; and, if so, in view of the gravity of delay in having the teachers' grievances put right, will he give this matter his first consideration.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.): I have received the Resolution referred to. The whole question of salaries to Irish primary teachers is under the consideration of the Commissioners of National Education, and the Irish Government will gladly consider any proposals on the subject which the Commissioners may make.

Evicted Farms in County Cavan.

MR. VINCENT KENNEDY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners' inspector visited county Cavan recently; and, if so, how many owners of the fifty-two evicted farms now on the landlords' hands were visited; did any of these landlords refuse to see the inspector; did any of these landlords refuse to allow the evicted tenant back; and, if so, how many.

MR. BRYCE: The Estates Commissioners inform me that one of their inspectors is at present making inquiries into the cases of evicted tenants in county Cavan. Until these inquiries have been completed the Commisssioners are not in a position to give the details asked for in the Question, and, moreover, they do not think it desirable that they should furnish at irregular intervals piecemeal reports as to the progress of the work in different localities.

Galway Election Disturbances.

MR. BARRIE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that there was much riot and disorder connected with the recent election for the town of Galway; and can he state the number of the electors on the register at present in force, the population of the town, and the number of police that were employed to keep order during the three days preceding the election and on the day of polling.

MR. BRYCE: Reports which I have received from the police authorities indicate that on the afternoon of the 1st instant considerable disturbance and fighting took place at Galway. On the following day there was no disturbance, and on the third, the day of the polling, there was no general disturbance or riot, but some little fighting occurred. The number of electors in Galway is 2,250, and the population about 16,000. No extra police were employed at Galway on 31st October. The number of police employed on 1st November was sixty; on 2nd November, 100; and on 3rd November, the polling day, 200. These figures include ten men of the ordinary town force.

Lord Fermoy's Limerick Estates.

MR. LUNDON (Limerick, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that the preliminary documents for sale and purchase as between landlord and tenants were perfected in the case of Lord Fermoy and the tenants on the Kilcullane, Cahirguillamore, and other lands in the parishes of Herbertstown and Grange, county Limerick; is he aware that Lord

Fermoy subsequently withdrew his sanction to the sale unless the tenants paid a higher price, and on their refusal to do so served on them writs for rents to be tried in the superior courts, and, in the case of one tenant, Mr. Martin Hogan, served a process to be tried before the county court judge at the Bruff Quarter Sessions, which he subsequently withdrew before going into court; and will he consider the advisability of taking steps to save tenants from being harassed by lawsuits where the title is doubtful.

MR. BRYCE: The Estates Commissioners inform me that no proceedings in connection with the sale of Lord Fermoy's estate are pending before them, and they have no knowledge of the legal proceedings referred to in the Question. The Government have no power to restrain landlords from taking legal proceedings.

Adara Evicted Tenants.

MR. LUNDON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland is he aware that on 25th September last the Earl of Dunraven evicted from his holding in Ardshanbally Adara, a farmer named Thomas Drew, who held as tenant from year to year; is he aware that since his eviction, six weeks ago, Thomas Drew, with his delicate wife, have been obliged to live in an insanitary cabin; does he know that in order to the more effectually deprive Thomas Drew of any title to his holding a caretaker's agreement from the rent office, in the name of the Earl of Dunraven, was served on him which he refused to sign; can he say whether all the other evicted tenants on the Dunraven property have been reinstated; and will the Estates Commissioners send an inspector to see to the reinstatement of Thomas Drew.

MR. BRYCE: The Estates Commissioners inform me that they have no knowledge of the facts alleged in the Question in reference to the case of Thomas Drew, from whom no communication has been received. The Commissioners have received eight applications for reinstatement on the estate mentioned. Six of the applicants have been reinstated by the Commissioners, one was outside the scope of the Act, and the remaining case has not yet been dealt with.

Complaint against Mr. P. J. Kelly, J.P., of Loughrea.

MR. LONSDALE (Armagh, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the fact that on 12th October Mr. P. J. Kelly, while adjudicating on the bench at the Loughrea Petty Sessions, publicly expressed approval of seditious statements made in court by a person charged with disorderly conduct at Gortymadden; if the Lord-Chancellor has expressed disapproval of Mr. Kelly's statement about grabbers, police, and British Government; and if Mr. Kelly has been called upon to withdraw the statement or resign his seat on the bench.

MR. BRYCE: My attention had not been called to the fact alleged in the Question, and I have no information on the subject. I have, however, referred the Question to the Lord Chancellor, but, owing to the short notice given, there has not been time for the Lord Chancellor's observations to reach me.

MR. LONSDALE: I will repeat the Question in a few days.

Provision for the Irish Unemployed.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what will be the Irish share of the £200,000 which the President of the Local Government Board has announced will be voted for the unemployed.

MR. BRYCE. If the hon. Member will refer to the Supplementary Estimates of the present session, Class VII., he will see that the provision of £200,000 for the purposes of the Unemployed Workmen Act is to be allocated by the Treasury between England and Wales, Scotland and Ireland. I understand that the allocation has not yet been made.

River Floods in the North of Ireland.

MR. JOHN O'CONNOR (Kildare, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has been informed that several of the principal rivers in the north of Ireland have overflowed their banks and that miles of low-lying country districts are under water; that in several parts of Derry, Fermanagh, and Monaghan, hundreds of acres of potatoes have been totally destroyed, and that farmers are compelled to use boats to remove horses and cattle from dangerous positions; and whether he will advise the Commission on arterial drainage to visit the flooded districts so as to take an object lesson on the subject matter of their inquiry.

MR. BRYCE: I had not received information to the effect mentioned in the Question. I have, however, referred the Question to the Secretary of the Commission on Arterial Drainage, and am informed that the Commission will sit in Belfast to-day and on the remaining days of this week, and the hon. Member's suggestion will be brought before the Commissioners for their consideration.

*MR. DELANY (Queen's County, Ossory): Is it not the fact that the state of things is much worse along the basin of the Barrow?

MR. BRYCE: I have no information as to that.

Irish Training Colleges.

MR. JOHN REDMOND (Waterford): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if, since the settlement arrived at in 1890 in connection with the training colleges in Ireland, that settlement has been set aside by the action of the Government in granting a sum of £50,000 for buildings for the Government College in Marlborough Street, Dublin; whether he is aware that since 1890 three colleges have been established, one at Waterford, one at Belfast, and one at Limerick, with the assent of the Treasury, on the recommendation of the Commissioners of National Education, who considered them necessary in order to provide a sufficient supply of trained teachers; whether he is aware that under the present system these colleges at Belfast, Limerick, and Waterford have to pay interest on their loan and sinking fund out of their annual earning, thus reviving in their cases the grievances which were removed in the case of the colleges which were in existence in 1890; will he say if the Treasury have refused to redress these grievances on the ground that they have not been pressed to do so by the Irish Office; and whether, in view of the hardship which is being inflicted on the managers of these colleges, and the detrimental effect the present policy is having upon the education and training of hundreds of teachers, he will take steps to impress on the Treasury the urgent necessity of acceding to the request which has been made to them for a free home grant.

MR. BRYCE: The Board of National Education did make representations in favour of what is called a "free home grant" to the Limerick College, but do not appear to have made any similar representations in respect of the colleges at Belfast and Waterford. These provincial colleges have all been opened since 1890, with the full knowledge on the part of the promoters that a building grant would not be given to them, and I am informed that the Irish Government and the Treasury have consistently refused subsequent applications on behalf of these colleges for a grant to clear off the loans taken up for building purposes. The grant of £50,000 for new buildings, in connection with the Marlborough Street Training College, was made by the late Government two years ago out of the Irish Development Grant. It cannot be admitted that the making of that grant re-opened the settlement arrived at in 1890. The intention of that settlement was then stated to be to place the three denominational training colleges in Dublin on an equality of treatment as to building grants, with that previously accorded to the undenominational training college at Marlborough Street under the control of the Commissioners. The reasons for making the grant in 1904 were fully stated in this House by the right hon. Member for Dover, 16th March, 1904,† and His Majesty's present Government have had nothing whatever to do with that matter. The question of grants for these colleges has not been the subject of discussion between the present Irish Government and the Treasury since we came into office, inasmuch as there was no reason to think that the attitude of the Treasury, who in November, 1905, positively refused to entertain a similar proposal, would be at all modified. The managers of two of these colleges, however, appealed directly to the Chancellor of the Exchequer, whose reply—it cannot have been accurately conveyed to the hon. and learned Member—was not that which might be gathered from the Question, because while stating that, he could not properly take any action upon the matter, except upon the recommendation of the Chief Secretary, my right hon. friend added that he had looked into the history of the subject and did not think it likely that the previous decisions would be modified. There are so many questions connected with Irish Education in its various branches on which the Irish Government are constantly pressing the Treasury for further expenditure, some of which engage a public attention that extends over the whole of Ireland, that I am not prepared to give a prominent and exceptional place to the Question of further expenditure on any training college. The question of the training of teachers is no doubt one of great importance, but it must be dealt with as a whole; and, as I have said, there are other branches of education in Ireland, expenditure on which is a matter of more importance and greater urgency.

---

† See (4) *Debates*, cxxxi., 1259, 1260, 1313.

MR. JOHN REDMOND: Has the right hon. Gentleman any objection to publishing the correspondence as a Parliamentary Paper or allowing me to have a copy of it?

MR. BRYCE. I will look into it to see if that can be done.

Arklow Harbour.

SIR THOMAS ESMONDE (Wexford, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if the report on Arklow Harbour recently furnished to the Irish Government was made at the request of the Government or on the initiative of the Department of Agriculture.

MR. BRYCE: The report in question was furnished at the request of the Irish Government and not on the initiative of the Department of Agriculture.

Courtown Harbour.

SIR THOMAS ESMONDE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that the fishermen at Courtown, county Wexford, have been unable to get to sea for some time past owing to the silting up of the harbour; if the dredger, promised on 22nd October last by the Department of Agriculture, has been sent to Courtown; and whether, in view of the fact that for years past the fishermen at Courtown, and at other places on the south-east coast of Ireland, have been continually making representations to successive Governments with a view to the improvement of their harbours, he will seriously consider the question of giving them the same opportunities of earning their living as are given to fishermen in Scotland and in other parts of Ireland.

MR. BRYCE: The Department of Agriculture are aware that the larger boats at Courtown have recently been prevented from leaving the harbour, owing to the condition of the bar. A similar state of affairs existed at the end of the year 1904. The Department, in co-operation with the county council, then cleared the entrance by the use of a steam crane and grab working from the pier. On learning, on 22nd October, that the entrance to the harbour had again become choked, the Department took immediate steps to have the crane moved from Arklow to Courtown; and it is now being erected there. The greater number of harbours on the east coast are purely artificial, and are liable to become choked by accumulations of sand. The Department are now in possession of a sand pump dredger, which is available for use in harbours suitable to her capacities, and arrangements could be made for placing her at the disposal of such harbour authorities as are prepared to co-operate in providing for her expense.

Irish Policy of the Government.

MR. LONSDALE: I beg to ask the Prime Minister whether a draft or outline of the Government proposals with regard to changes in the government of Ireland which are intended to be embodied in legislation next session has been submitted to the leader or leaders of the Nationalist Party; and whether he can state when the public will have an opportunity of considering the scheme.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): No statement regarding the Government's proposals for Irish legislation next session can at present be made. It would be altogether unusual to do so.

As to the persons who may or may not be consulted, I have nothing to say; but I shall be very glad to consult the hon. Member if he will allow me.

MR. LONSDALE: Will the right hon. Gentleman give me an opportunity of consulting with him?

SIR H. CAMPBELL-BANNERMAN: I am always available.

CENSUS OF PRODUCTION BILL.

Reported from the Standing Committee on Trade, etc., with Amendments.

Report to lie upon the Table, and to be printed.—[No. 344.]

Minutes of the Proceedings of the Standing Committee to be printed. [No. 344.]

Bill, as amended (in the Standing Committee), to be taken into consideration upon Monday next, and to be printed. [Bill 352.]

ADJOURNMENT.

Mr. T. L. CORBETT, Member for North Down, rose in his place, and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance, viz., "the decision of the Government to discharge a number of invalid soldiers, who are unable to earn their livelihood, from Netley Hospital, without giving the House of Commons an opportunity of considering what provision can be made for them;" and, the pleasure of the House being signified, the Motion stood over, under Standing Order No. 10, until a quarter past Eight this evening.

LAND TENURE BILL.

As amended (by the Standing Committe), further considered.

CAPTAIN CRAIG (Down, E.) rose to move the following Amendment to Clause 2—

"In page 2, line 9, at end, to insert the words, 'Provided that in the case of Ireland, where the tenant has bought out under any of the Land Purchase Acts, no such charge shall be imposed on the Irish Development Grant.'"

*MR. SPEAKER: As I understood it, the Bill does not apply to Ireland, and if that be so the hon. Member's Amendment is out of order.

SIR EDWARD STRACHEY (Somersetshire, S.) said that the clause itself could not possibly refer to Ireland, and he would further say that it was the intention of the Government to strike out Clause 3, which was the only clause which did apply to Ireland.

*MR. SPEAKER ruled the Amendment out of order.

MR. BEALE (Ayrshire, S.), in moving to insert in Clause 2 after the word "agreement" the words "made after the damage has been suffered," said that his object was to put right what he thought was obviously a slight error in the drafting of the section, because it said in the first sub-section that "any agreement to the contrary shall be void" and subsequently that "the amount of compensation payable under this section shall in default of agreement." Clearly the meaning of the word "agreement" was an agreement by which landlord and tenant bargained beforehand that there should be no compensation. Landlord and tenant should be able to fix the amount by agreement made after the damage was done without the expense of arbitration.

Amendment proposed—

"In page 2, line 11, after the word 'agreement,' to insert the words 'made after the damage has been suffered.'"—(*Mr. Beale.*)

Question proposed, "That those words be there inserted."

SIR EDWARD STRACHEY intimated that the Government proposed to accept the Amendment together with a similar Amendment which he understood was going to be moved and which, in application, was identical with that of his hon. friend.

Question put, and agreed to.

MR. PAULTON (Durham, Bishop Auckland) moved to insert after the word "arbitration" the words "and the arbitrator shall have regard to any existing arrangements between owner and occupier under which damage by game has been taken into consideration." The object of the Amendment was to meet the case of damage by game having been taken into consideration in determining the rent, and to give the landlord some protection against being called on to pay twice over. He noticed that the Solicitor-General had placed an Amendment upon the Paper which for all he knew might entirely achieve the object he had in view. He felt bound, however, to move his own Amendment, because his right hon. and gallant friend the Member for Shropshire had agreed to accept it in lieu of an Amendment he himself had on the Paper. While he was quite willing, if hon. Gentlemen were satisfied with the proposal of the Solicitor-General, to withdraw in its favour, he rather preferred his own and shorter form of Amendment. It was not necessary to discuss the matter further, especially as his whole object was to save the time of the House upon a very small question, upon which they had virtually come to an agreement during the previous day's debate, viz., that the tenant should not receive compensation twice over where compensation had been given in determining the rent. If those in charge of the Bill and hon. Members opposite were willing he was quite ready to withdraw his Amendment in favour of that of the Solicitor-General. There might be in the complicated and legal phraseology points which required explanation, and for this reason also he would withdraw his own Amendment, if desired.

Amendment proposed—

"In page 2, line 11, after the word 'arbitration,' to insert the words, 'and the arbitrator shall have regard to any existing arrangements between owner and occupier under which damage by game has been taken into consideration.'—"(*Mr. Paulton.*)

Question proposed, "That those words be there inserted in the Bill."

SIR EDWARD STRACHEY said he quite agreed that something was required to make the clause clearer in its meaning, but he hoped the hon. Member would not press his Amendment, because the Solicitor-General had a similar Amendment on the Paper which he (Sir Edward Strachey) thought was preferable.

VISCOUNT TURNOUR (Sussex, Horsham) hoped the hon. Gentleman would not withdraw his Amendment. It was a better one than that of which notice had been given by the Solicitor-General. Perhaps the hon. Baronet in charge of the Bill would explain to the House why the Solicitor-General's Amendment was preferable to that of the hon. Member for Bishop Auckland. The latter was shorter and more easily understood, and he could see no possible reason for its non-acceptance. It was much clearer and contained fewer words, whilst that of the learned Solicitor-General was long, cumbersome, and difficult to understand.

*MR. WHITBREAD (Huntingdonshire, Huntingdon) hoped the Amendment moved by his hon. friend would not be dismissed quite so summarily by the Front Bench. On the previous afternoon they had been engaged in a lengthy discussion over an Amendment which, according to the general consensus of opinion in the House, aimed at the object they had in view. It was explained, however, from the Front Bench that it would not achieve the object desired. Unquestionably in the letting and taking of a farm, the probability of damage by game almost always entered into consideration. It was the general consensus of opinion in the House that, this being so, it was desirable to have some form of words inserted in the Bill giving power to the arbitrator, when considering a claim for damage by a tenant, to take notice of any such consideration, if embodied in the agreement and affecting the rent. Personally, he much preferred the Amendment before the House, because it almost exactly reproduced what he believed to be the sense of the House on the previous afternoon. If there were points which needed explanation, and rendered the Solicitor-General's Amendment preferable, it was all the more reason why they should not hastily discard the proposal under discussion.

COLONEL LOCKWOOD (Essex, Epping) believed there was a general agreement that the Amendment of the hon. Member for Bishop Auckland covered the ground better than that of the hon. and learned Solicitor-General.

MR. CHARLES CRAIG (Antrim, S.) said that as the hon. Baronet in charge of the Bill had suggested that the

Amendment before the House should be withdrawn in favour of one standing in the name of the Solicitor-General, it behoved them to look at both in order to see in what respect they differed. The Amendment of the hon. Member for Bishop Auckland said that—

> "The arbitrator should have regard to any existing arrangements between owner and occupier under which damage by game has been taken into consideration,"

whereas that of the Solicitor-General stated that—

> "Where the landlord proves that under a contract of tenancy, made before the commencement of this Act, any compensation for damage by game is payable, or that in fixing the rent to be paid under such agreement allowance to an agreed amount was expressly made, the arbitrator shall, in assessing the compensation under this section, make such deduction from the compensation which would otherwise be payable as may appear just."

It seemed to him that there was a great difference between the two Amendments. Under the Solicitor-General's Amendment no arrangement between landlord and tenant would have any effect, whereas under the Amendment of the hon. Member for Bishop Auckland it seemed to be open to the tenant and landlord to take into consideration, when making a letting, any possible damage that might be done by game. He trusted that the hon. Gentleman would persist in his Amendment, which was perfectly clear and short, and the purport of which was more easily understood by the ordinary layman than the technical Amendment of the Solicitor-General.

THE SOLICITOR-GENERAL FOR SCOTLAND (Mr. URE, Linlithgowshire) thought he could explain why the Government preferred the Amendment of the Solicitor-General to that of the hon. Member for Bishop Auckland. The real object was to insert a clause which would make specific provision for the value of the loss caused by game. What the Government were anxious to avoid was that the landlord should pay compensation twice over. The Amendment of the Solicitor-General guarded against that danger, so that if the arbitrator found in the lease some clause by which there had been an anticipation as to the damage done by game, he would take it into account. That would quite rightly throw upon the landlord the onus of showing from the lease that he had already by anticipation made an allowance or compensation in respect of damage by game, and that, therefore, it would be grossly inequitable to ask him to pay over again. The two Amendments really came to the same thing; but in the view of the Government it was much better that the arbitrator should have his attention drawn to the point which they all had in view.

*MR. COURTHOPE (Sussex, Rye) thought that the Solicitor-General for Scotland was wrong. It had been made abundantly clear, from the speeches delivered on the previous day, that very often allowance was made for the amount of damage done by game by a reduction of rent. In the southern counties farms were let by yearly agreements, which were usually made out in the same form for a whole estate. He held in his hand a form of such agreement which was frequently adopted. He could assure the hon. and learned Solicitor-General for Scotland that, although no express mention was made of compensation for damage caused by game, considerable differences were made in the rent of different farms owing to the presence on some farms of large coverts for game. The Amendment of the Solicitor-General contained the word "expressly," which would cut out all the cases where the reduction of rent by way of compensation was made by tacit undertanding, as it was in many parts of the country; and in numerous cases of that kind the arbitrator would have nothing to look to in coming to his decision. Of course, in the future that would be provided for, but it could not be remedied in existing agreements. He hoped the hon. Baronet in charge of the Bill would reconsider the matter and see whether his own object would not be better served by accepting the shorter and clearer Amendment of the hon. Member for Bishop Auckland.

MR. J. WARD (Stoke-on-Trent) hoped the Government would refuse this Amendment and insist on the words to be proposed by the Solicitor-General. He did not think the two Amendments meant the same thing. He thought the word "arrangement" instead of "agreement" would allow the evasion of the understanding arrived at in the previous day's discussion. The compensation to be given to the tenant by the landlord should be compulsory, and the Amendment of the Solicitor-General would secure that.

Mr. WILLIAM RUTHERFORD (Liverpool, West Derby) thought that hon. Members must have been very agreeably surprised when they saw on the Order Paper the present Amendment. He was glad to hear that a concession of a most valuable character had been made to carry out the understanding arrived at, as he believed, on the previous day, that when an arbitrator came to deal with the question of what compensation was to be given he should be allowed to take into consideration any arrangement which the landlord and tenant had come to on that point. There was no suggestion on the previous day that the arrangement should be expressed in writing in a document under seal. A great many farms in England were let verbally, and it would be impossible in a large number of cases to comply with the stringent and objectionable terms which the Solicitor-General had incorporated in his Amendment. The House would be well advised if they accepted the straightforward and simple language of the Amendment of the hon. Member for Bishop Auckland.

Mr. ALEXANDER CROSS (Glasgow, Camlachie) pointed out that in effect they were in Committee upon this Bill in consequence of the action of the Government, instead of dealing with the matter upon the Report stage in the ordinary way. The whole question under debate was that of existing contracts, and he took it that the Amendment before the House, unless it was modified by some other words, would put into the hands of arbitrators in the future a power to consider agreements of a private nature which it was the object of the Bill to prevent; in fact it would defeat the whole object of the Bill. In the case of new tenancies, how was it possible at the beginning of nineteen years to say anything about the amount of damage which would be done at any time during that period? The tenant, however, would submit to whatever game the landlord put upon the land, because he had already obtained as much reduction of rental in regard to such damage as he could possibly receive, and he took it that under this Act he would be able to obtain a reduced rental in the case of larger heads of game being on the farm, and also to claim an arbitrator's decision and get a second allowance. That was what they on that side of the House objected to—that a tenant should be allowed to claim compensation twice over. He thought the Solicitor-General should see that this compensation was not paid twice over, and that a man who had already obtained a reduction of rent, because of game preservation, should not be able to claim a second allowance.

Mr. A. J. BALFOUR (City of London) said the speeches which had been delivered showed that there was an ambiguity in the proposed Amendment. Some of his hon. friends assumed that the word "existing" meant existing at the time of arbitration; he did not know whether that was the meaning given to it by the promoters of the Amendment or whether it was to be interpreted as meaning "existing" at the time of the passing of the Bill. In that case it would be possible for any tenant and landlord to come to an agreement with regard to the amount of game to be kept on a farm, and the tenant would not be able to claim compensation for damage except beyond that. There was a vital and enormous difference between the two proposals; indeed, there was the difference of the whole diameter of the globe between them, because in one case they preserved the right to make future contracts in regard to game and in the other they did not. If the first interpretation was the correct one, then there was a vital difference between the Amendment of the hon. Member and that of the Solicitor-General. He thought they ought to know the object with which the Amendment was moved.

Mr. PAULTON said he might be mistaken as to what his hon. friend opposite meant, but he had no other intention than that of dealing with contracts existing at the time of the passing of the Bill.

Mr. A. J. BALFOUR said that was his interpretation of the Amendment, and the hon. Gentleman opposite seemed to be of the same opinion. Having settled that preliminary ambiguity, he ventured to put in an appeal for the Amendment now before the House and for this very plain and obvious reason. On the subject of contracts already running the Solicitor-General's Amendment would forbid any arrangement between landlord and tenant being taken into account by the arbitrator unless an arrangement was in writing. He instanced the case of the taking of a lease where a tenant might have to pay £300 a year; but, in view of game being kept on the farm, it was let by the landlord at £280 a year. This abatement of the rent agreed upon between landlord and tenant was never inserted in the lease; and he wanted to know whether a tenant relieved of £20 rent was to be compensated for damage by game, since the contract was not of the formal character suggested by the Solicitor-General. He hoped that the Amendment of the hon. Member would be agreed to.

THE SOLICITOR-GENERAL (Sir W. ROBSON, South Shields) said that the objections now being urged to the Bill were more extensive in form and substance than the objections seized upon by way of illustration the previous day, and sought to be met by his Amendment. He pointed out, however, that it had not been suggested in the case of existing contracts that an arbitrator should be at liberty in every case, without any proof of distinct agreement, to re-open the negotiations as to the rent. ["Yes."] Where a distinct agreement was made it would be practically nullifying the Bill, as far as existing contracts were concerned, if, in every case, the arbitrator was entitled or obliged to put the tenant through a cross-examination as to whether or not at the time when he made his bargain there was any game on the land. The extreme case of injustice where a distinct agreement had been made at the commencement of the tenancy in respect to compensation for damage done by game had been met by the Treasury Bench, and could easily be met again. It would practically repeal the provisions of this Bill if the arbitrator in every case had to put the questions suggested by the right hon. Gentleman opposite as to whether or not at the time the tenant made the bargain there was any game upon the land, because they would all admit that there was not a tenancy of which the rent was fixed without the knowledge that there was some game on the land. He did not deny that this Bill was in some measure an interference with existing contracts, and hon. Gentlemen opposite did not put the Government in any dilemma when they suggested it, because the Act of 1900 was to some extent an interference with then existing contracts. If hon. Members would read Section 7 of that Act they would find that although under existing tenancies the tenant had no right to compensation for improvements, yet under that Act, notwithstanding agreements, he was to be entitled to compensation for all sorts of improvements which he might make. In this matter the Government was following Conservative precedent. He admitted that the Bill interfered with existing contracts to some extent, and it did so because in this case they were not dealing only with the interests of two classes. This Bill was not brought in in the interests of the farmer and the landlord alone, although hon. Gentlemen opposite had tried to treat it in that way. Any interference with existing contracts was made on grounds of public policy, it being considered that in the interest of the community the agricultural industry should proceed without being hampered by loss and detriment, such as had been alluded to, from game preservation. The Government had tried to meet the extreme case put by the other side, and now they were told that that case never existed. He wished he had been told that before he attempted the rather difficult task of drafting an Amendment to deal with it. Passing to the Amendment of the hon. Member, it was quite clear, as had been suggested by the right hon. Gentleman the Leader of the Opposition, that the words proposed would apply not only to tenanices existing at the passing of the Act, but also to those existing at the time of the arbitration. Did the Amendment limit this to cases where express agreements had been made. On the other hand, it would reopen negotiations for rent in the case of every existing tenancy. In England the majority of the tenancies existed from year to year and could be determined by notice in any year. Therefore, in the case of tenancies existing at the time of the passing of this Act, the arbitrator in granting compensation would have to take into account the fact that the rent had been fixed without any regard to the damage done by game. The whole object of the Bill was to discourage the preservation of an undue amount of game upon the land, and if the Government were to accept the phrase "existing arrangements" difficulties would arise which would practically nullify the statute. With regard to long tenancies, he thought the difficulties could be overcome by the provisions of the Ground Game Act, which treated existing tenancies at the time of the passing of the Act as terminating at the time at which they could be determined. But he saw no reason why they should not, like other tenancies, come under the same general object of public policy and be subject to compensation for damage. Those were the general purposes he had in view. In framing his Amendment he had endeavoured to meet the extreme case put by hon. Gentlemen opposite, but they must resist the tendency to apply that treatment to every kind of case, because that would have the effect of greatly diminishing the scope of the Bill.

Mr. COCHRANE (Ayrshire, N.) pointed out that the Act of 1900 on which the hon. and learned Gentleman relied as a precedent gave no compensation "in respect of improvements made before the passing of this Act."

Sir W. ROBSON said that that clause only applied to the restricted class of improvements made before the passing of the Act, but the Act applied to all classes made after.

Mr. COCHRANE said he heard the question argued by his hon. and learned friend behind him the other day, and although the Solicitor-General had then an opportunity of dealing with one of his own calibre he failed to bring forward the arguments with which he now endeavoured to overwhelm him. The Solicitor-General was enamoured of the Act of 1900, and said that it was a precedent worthy of imitation. He therefore asked the hon. and learned Gentleman if he would amend this Amendment to put it on the same lines as Section 7 of the Act of 1900. He suggested that the Amendment should read as follows—

> "And the arbitrator shall have regard to any arrangements existing at the time of the passing of this Act between owner and occupier under which damage by game has been taken into consideration."

He thought that would bring the Amendment into line with the precedent laid down by the Solicitor-General, and also with the hon. and learned Gentleman's view that where an arrangement existed between landlord and tenant on the question of the compensation to be paid for the game, that arrangement might come before the arbitrator who would give the weight that was due to it. Arrangements between the landlord and the tenant by which the rent was fixed according to the head of game on the land had been made time out of mind in almost every case of a farm being let. If there had been fraudulent arrangements, as the hon. and learned Gentleman might suggest, they would come before the arbitrator under the Bill, and all that was asked was that the arbitrator should take these facts into consideration. If the arbitrator found that the arrangement entered into was a *bona fide* arrangement, it would be monstrous and absurd that it should not have some weight given to it. He begged to move.

Amendment to the proposed Amendment—

> "To leave out the word 'existing,' and insert after the word 'arrangement' the words 'existing at the time of the passing of the Act.'"—(*Mr. Cochrane.*)

Agreed to.

Question proposed, "That those words, as amended, be there inserted in the Bill."

Mr. PAULTON said his sole object in moving the Amendment had been to save time and difficulty, and he thought it would have received support on all sides. He repudiated very strongly the utterly baseless suggestion which had been made from below the Gangway opposite as to his motive. He was in a position of some difficulty, as he wanted to keep faith with the House, but he found that in putting forward the words of his Amendment he was mistaken in thinking that they would be generally acceptable. He would therefore ask leave to withdraw the Amendment.

MR. EVERETT (Suffolk, Woodbridge) opposed the withdrawal of the Amendment, which he hoped would be carried. While wishing to do justice to the tenants they did not want to do any injustice to the landlords. Those who knew anything about land were perfectly well aware that a farm was let at a lower rent if a large head of game were kept on it. It would be very unfair to landowners if under this Bill in the case of a claim being made for damage done by game, there should not be set against that damage the fact that a lower rent was paid in consideration of the large head of game kept on the farm.

SIR A. ACLAND-HOOD (Somersetshire, Wellington) said the Solicitor-General really could not have been serious in his reply, from which he seemed to think that a conspiracy between landlords and tenants might be entered into to overrun the whole land with pheasants and partridges to the detriment of the food supply of the country. The hon. and learned Gentleman must know as well as he did that if every pheasant and every partridge in the country were killed to-morrow there would be no appreciable increase in the amount of home-grown wheat. He wished to thank the hon. and learned Gentleman for his phrase in which he said the Government were dealing not with the interests of the tenants only, but with the interests of agriculture and the country as a whole. He hoped the hon. and learned Gentleman, when he came to the clauses which really dealt with land tenure and agriculture, would adopt that principle, and look not at the tenant side only, but also at the maintenance and fertility of the land under the experienced care of those who had managed it for years.

VISCOUNT CASTLEREAGH (Maidstone) said all these difficulties would be obviated if the Government would accept an Amendment that the Bill should not come into force until 1908. Farms had been let at a lower rent in consequence of the presence of game, but according to this Bill the tenant would be able to obtain compensation twice over. It would be possible now for the landlords to revise their leases.

*MR. SPEAKER: Order, order! The noble Lord is dealing with matters which have already been disposed of.

MR. HICKS BEACH (Gloucester, Tewesbury) could not understand why the Government should not accept the Amendment in its revised form. The Solicitor-General had stated that there were a large number of agreements in which an express sum was named as compensation for damage by game, and that was quite true. That, however, only proved that it was impossible to legislate in a satisfactory manner as regarded the tenure of land and the damage done by game for the whole country. It was well-known that in many cases a lower rent had been accepted than would have been the case if there had been no game on the farm. It had been said that the only thing the landlord would have to do in such cases would be to revise the agreements with his tenants, but that was just what they wanted to avoid. It was desirable to avoid the friction between landlord and tenant which would undoubtedly arise unless this Amendment were accepted in its amended form.

Question put.

The House divided:—Ayes, 92; Noes, 281. (Division List No. 385.)

AYES.

Acland-Hood, Rt. Hn. Sir Alex. F
Anson, Sir William Reynell
Aubrey-Fletcher, Rt. Hon. Sir H.
Balcarres, Lord
Balfour, Rt. Hn A J. (City Lond.)
Banbury, Sir Frederick George
Baring, Hon. Guy (Winchester
Barlow, Percy (Bedford)
Barrie H. T. (Londonderry, N.
Beach, Hn. Michael Hugh Hicks
Beck, A. Cecil
Beckett, Hon. Gervase
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Burnyeat, W. J. D.
Butcher, Samuel Henry

Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Dalmeny, Lord
Dixon-Hartland, Sir Fred Dixon
Doughty, Sir George
Duncan, Robert (Lanark, Govan
Everett, R. Lacey
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Freeman-Thomas, Freeman
Gardner, Col. Alan (Hereford, S.
Gibbs, G. A. (Bristol, West)
Gurdon, Sir W. Brampton
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashford
Harrison-Broadley, Col. H. B.
Helmsley, Viscount
Herbert, T. Arnold (Wycombe)
Hervey, F. W. F. (B'ry S. Edm'ds
Hills, J. W.
Howard, Hon. Geoffrey
Kennaway, Rt. Hn. Sir John H.
Kenyon-Slaney, Rt. Hon. Col. W
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Chas. W. (Evesham)
Lyttelton, Rt. Hon. Alfred
M'Calmont, Colonel James
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Napier, T. B.
Nicholson, Wm. G. (Petersfield)
Parkes, Ebenezer
Pease, Herbert Pike (Darlington
Percy, Earl
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Renton, Major Leslie
Ridsdale, E. A.
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Starkey, John R.
Staveley-Hill, Henry Staff'sh.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ
Tennant, Sir Edward (Salisbury
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Turnour, Viscount
Valentia, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid)
White, Luke (York, E. R.)
Wilson, A. Stanley (York, E. R.)

TELLERS FOR THE AYES—Mr. Paulton and Mr. Whitbread.

NOES.

Abraham, Wm. (Cork, N. E.
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armstrong, W. C. Heaton
Asquith, Rt. Hon. Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somerset
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W. C. B. (Hexh'm
Bell, Richard
Bellairs, Carlyon
Bennett, E. N.
Bethell, J. H. (Essex, Romford
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire)
Boland, John
Brace, William
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Cheetham, John Frederick
Churchill, Winston Spencer
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Corbett, CH (Sussex, E. Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crooks, William
Cross, Alexander
Crossley, William J.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Gulland, John W.
Hammond, John
Hardie, J. Keir (Merthyr Tydvil
Harwood George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hedges, A. Paget
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Horniman, Emslie John
Hudson, Walter
Idris, T. H. W.
Illingworth, Percy H.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonsh.)
Jowett, F. W.
Kearley, Hudson E.

Kekewich, Sir George
Kincaid-Smith, Captain
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, SirJosephF.(Accrington
Lehmann, R. C.
Levy, Maurice
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah(Down,S.)
MacVeagh, Chas. (Donegal, E.
M'Crae, George
M'Killop, W.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon(Launceston
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd(Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norman, Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Grady, J.
O'Kelly, James (Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk, Eye
Perks, Robert William
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Price, C. E. (Edinb'gh, Central)
Price, RobertJohn(Norfolk,E.)
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, J. M. (Tyneside)
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland
Samuel, S. M. (Whitechapel)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Syllivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Thomas, Sir A.(Glamorgan, E.)
Thomasson, Franklin
Thorne, William
Tomkinson, James
Torrance, Sir A. M.
Ure, Alexander
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, Eugene(Clackmannan)
Wason, John Cathcart(Orkney)
Watt, H. Anderson
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williams, Llewelyn(Carmarth'.
Williams, Osmond (Merioneth)
Wilosn, Henry J. (York, W. R.)
Wilson, P. .W (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr Whiteley and Mr. J. A Pease.

*MR. EVERETT moved to leave out the words "one week" and to insert "three days." He said it seemed to him undesirable to allow the crop, after it was cut so long a time as a whole week, to remain uncarted in order to be able to claim compensation for damage by game. Every day the crops remained the damage by game would increase, and surely three days notice would be ample.

MR. WHITBREAD seconded the Amendment.

Amendment proposed—

"In page 2, line 18, to leave out the words 'one week,' and insert the words 'three days.'"—(*Mr. Everett.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR EDWARD STRACHEY said this matter was carefully considered by the Committee upstairs, and they took the Scottish precedent of the 1877 Act which, it was allowed, had worked well.

Question put, and agreed to.

Amendment proposed—

"In page 2, line 20, at end, insert '(3) Where the landlord proves that under a contract of tenancy made before the commencement of this Act, any compensation for damage by game is payable, or that in fixing the rent to be paid under such contract allowance in respect of such damage to an agreed amount was expressly made, the arbitrator shall, in assessing the compensation under this section, make such deduction from the compensation which would otherwise be payable as may appear just.' "—(*Sir W. Robson.*)

Question proposed, "That those words be there inserted in the Bill."

MR. COCHRANE said the Amendment did not seem to him to improve the clause very much, but probably it was better than nothing at all. He did not think it in any degree met which he understood to be the pledges given by hon. Gentlemen opposite in respect to this matter. It did not go so far as they had indicated they were willing to go, but it went some length, and therefore, he personally would not offer it any opposition. But he hoped the Solicitor-General would reconsider the matter, and see if he could not at a future stage meet the legitimate points which had been raised on both sides of the House.

MR. EVERETT moved to omit the words "to an agreed amount."

COLONEL LOCKWOOD seconded the Amendment. It was impossible to agree beforehand as to what the amount of damage would be. There might be a case where a farm when taken had a very large head of game upon it, and the landlord, having the shooting of it, took that into consideration in fixing the rent. But afterwards a change might be made. The landlord might be invalided and not want any game at all. The conditions then would be altogether different, and it was impossible to lay down a hard and fast rule as to the amount of damage.

Amendment proposed to the proposed Amendment—

"To leave out the words 'to an agreed amount.' "—(*Mr. Everett.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

MR. ABEL SMITH (Hertfordshire, Hertford) said the hon. Member for the Woodbridge Division was a practical man who looked at these matters from the farmer's point of view. [Cries of "No."] He came from a district where there was probably more game than in any other part of England, and therefore a proposal made by him deserved some consideration. This was a perfectly reasonable Amendment. Before taking a farm a tenant went round and made inquiries in regard to all the circumstances. The amount of damage likely to be done by game was taken into consideration. If during the tenancy any change took place in the head of game on the land the tenant already had his remedy, because he could recover damages from the landlord where unusual steps had been taken to increase the head of game. It seemed to him natural and indispensable that the Amendment to the Amendment should be accepted, and that the arbitrator should not to be restricted to taking into account a sum actually named in the agreement. The arbitrator should be allowed to take all the circumstances into consideration, and if he was satisfied that a reduction of rent was allowed in respect of the head of game on the holding, that should be kept in view in assessing the damage. He hoped the Government in this matter would have some regard to the arguments of those who really knew something about the question.

MR. NUSSEY (Pontefract) said he should like to know the objection which the Government entertained to accepting this Amendment. It seemed to him to carry out precisely the pledges which the Government had given to the House on the previous day.

SIR W. ROBSON said the Government had given no pledge on the previous day. They were under no obligation in the matter, but they had done their best to meet the wishes of the House.

MR. NUSSEY said he apologised to his hon. and learned friend. If he remembered correctly the Government, at any rate, did not repudiate this proposal as they certainly might have done. He thought that the Amendment which the Solicitor-General had brought up was intended to carry out the object the hon. Member for the Woodbridge Division had in view. It had seemed to him that on the first clause the Government were adverse to anything being put in writing; but now they wanted everything to be put in writing. The Government Amendment still left the onus of proof on the landlord. They must conclude that the arbitrator was a sensible man, and unless the Solicitor-General could convince him that his Amendment carried out the understanding come to on the previous day he would support the Amendment of his hon. friend the Member for the Woodbridge Division.

*VISCOUNT TURNOUR (Sussex, Horsham) thought the Government would do well to accept it. He was surprised that some hon. Gentleman had disagreed with the statement that the hon. Member for Woodbridge was a farmer and had a complete knowledge of agriculture. If anyone were to go into the Woodbridge Division and say that the hon. Member was not a genuine farmer he would meet with a very warm reception. He believed that if the Government did not accept this Amendment the Bill would not be of very great value, because he defied any farmer or ordinary person to understand the Amendment of the Solicitor-General.

SIR F. BANBURY (City of London) disagreed with his noble friend that no one could understand the Amendment of the Solicitor-General. It was put down in order that the Government might be able to say that having listened to the arguments on the Opposition side of the House they had endeavoured to meet them in a very considerable degree. He contended that the Amendment of the Solicitor-General was so illusive that it would practically make no alteration at all in the Bill. What happened? A farm fell vacant. The landlord told his agent to look about for a good tenant. A man came along and, when the agent asked a rent of £300 a year, the man replied, "You cannot expect me to give that rent for a farm which has so much game on it. I offer £260 a year." The agent went to the landlord, and said, "Here is a very good tenant anxious to take the farm, but he is not willing to pay a rent of £300 a year," and the landlord would say, "Oh, if he is a very good man, let him have the farm for £260 a year." He believed that there was a regular form of agreement, but nothing was put in it as to the game. [A LABOUR MEMBER: "Why not?"] Because it was not the custom to do it. He sincerely hoped that the Amendment would be carried.

SIR BRAMPTON GURDON (Norfolk, N.) said that when a farmer proposed to take a farm he inquired as to the amount of rates to be paid, as to the condition of the farm, and as to the head of game on it. There was no agreement about all those points any more than when a man bought a horse. When he wanted to buy a horse he looked to see whether the horse had broken knees. He knew that in some cases tenant farmers had been hardly treated, but speaking for his own part of the country and as a tenant farmer himself, he could say that tenant farmers were quite capable for making their own bargains.

MR. WINFREY (Norfolk, S.W.) said that to accept this Amendment would be to whittle down the clause altogether. Difficulties would be sure to arise, and when a claim was made for compensation for damage done by game the land steward might come forward and say, "Oh, in fixing the rent I took the question of game into consideration." When a farm was let it was generally let to the highest bidder. [OPPOSITION cries of "No, No."] He knew as much about letting farms as hon. Gentlemen opposite, and he contended that in nine cases out of ten a farm was let to the highest bidder. If the Solicitor-General kept to his proposal those tenant farmers who had made *bona fide* arrangements in respect of game would be protected.

MR. RAWLINSON (Cambridge University) said he would ask the hon. Gentleman who had just sat down if he knew of any existing contract of tenancy in England in which allowance to "an agreed amount" for compensation for damage done by game was "expressly made." What was the value which the Solicitor-General put on the words "an agreed amount was expressly made"? If they were struck out all that the hon. and learned Gentleman desired would remain in full force. He urged the Government to accept the Amendment.

Mr. A. J. BALFOUR thought that the legislation upon which the Government was now engaged was almost the worst that could be conceived, because it introduced the maximum of variation of principle, and the minimum of benefit to either individuals or the community. If the Government were going to cut up contracts and destroy the basis of civilised society, if they were going to make sacrifices of this kind to the cry of the moment, let them do it for the benefit of someone, but they were introducing the maximum loss which would affect the social system as a whole and the minimum gain to any individual. That was what he called bad legislation. The Solicitor-General had never attempted a defence of this clause or of this Bill. All that he had done in the numerous and very able speeches which he had made was, in the first place, to allege that there was a precedent for this violation of contract in the Unionist legislation of six years ago, and in the second place that it was for the public interest that game preserving should be discouraged. He traversed both those statements. It was not necessary for him, however, to go into what had been done in the past. He did not mean to argue whether in substance what was being done by the hon. and learned Gentleman now was done by a previous Government; before he did so he should require from him some substantive definition of his own policy and a statement in what way it was going to benefit the community. He wished, however, to deal with his view that game-preserving was anti-social, and ought to be put a stop to. [Ministerial cries of: That is not the question.] That was the question. The question was whether they were or were not to regard contracts as sacred. [An Hon. Member: For no fixed amount.] He did not think the hon. Member quite understood that there were contracts of various kinds, and dealing with this question the hon. and learned Gentleman meant to give relief in some cases and not in others, and the proposal that they wished to quarrel with was the limiting proposal. In other words, they quarrelled with the words which limited the relief by excepting a certain class of contracts. Why did the hon. and learned Gentleman propose to strike this blow at a certain class of contracts? He had distinctly told them that afternoon on another Amendment that he wished to discourage game preserving, but if he wished to do that he ought to bring in a different kind of Bill.

Sir W. ROBSON said he had not said that he desired to discourage game preserving and he did not desire to do so. He did point out, however, that it was an object of public policy that game preserving should not be excessive. Where it existed compensation should be given for the burden it placed upon persons engaged in producing food for the million.

Mr. A. J. BALFOUR did not know whether the House thought that he was engaged in misinterpreting the hon. and learned Member. At all events one of the reasons why the hon. Gentleman liked this Bill was that it was going to discourage the game preserver. But let the House take into account that that was not the object of the Bill. If it were it would have to prevent, not only the owner of the soil from excessive game preserving, but also the tenant to whom the game had been let both from excessive game preserving and from using the land let to him for the purpose of growing corn and roots for the purpose of rearing pheasants and partridges. The object expressed by the hon. and learned Gentleman was not the object of the Bill and was not to be found in its framework. What object could there be in this violation of contract? If there was to be no allowing people to contract themselves out of compensation, then these evils would not be a diminishing quantity after the Government had passed the present Bill, because existing contracts would come to an end month by month and year by year, and the time would come when every tenancy would be held under the stringent conditions of this Bill. So that so far as general considerations were concerned there was no great and permanent benefit to be gained by breaking these contracts. The tenants had entered into contracts under which the damage caused by game had been taken into consideration in fixing the rent. No doubt it had not been put down in figures, but the tenant took the farm with a full knowledge that the rent was justified by the conditions of the farm with game on it. Was a man who had received the contracted amount of compensation to receive compensation every year over again? If so, the Government were reduced to this unhappy conclusion, that simply in order to meet the case of a small class they were going to violate all the admitted principles which had governed legislation. That could not be right or wise, and it was opposed to all the traditions of the profession to which the Solicitor-General belonged. For the sake of a small and microscopic advantage the hon. and learned Gentleman was going to make a change which would go beyond the trifling and petty advantages which the Government proposed to gain if they adhered to this proposal. The Government had never argued their own case, but had contented themselves with quoting the precedent of six years ago. He submitted that when they were going to make a great departure from constitutional principles they ought to give some reasons for it.

Mr. GIBBS (Bristol, W.) said he had had some experience in letting farms, and he could unhesitatingly say that in the majority of cases a landlord let to the farmer who he thought was the best man. [Some LIBERAL MEMBERS: To the man who gives the most rent.] If landlords had pursued such a policy as hon. Members suggested the state of agriculture in the country would be in a far worse position than it was at present. He felt certain that the majority of the Members of the House who knew anything about land would agree that all good landlords let their farms to the applicants who they considered would do the most good to the land. If the landlord let his farm in every case to the highest bidder the tenant in many cases would take all he could out of the land and leave nothing to the man who came after him.

COLONEL KENYON-SLANEY (Shropshire, Newport) said the hon. Baronet in charge of the Bill and the Solicitor-General placed different constructions upon their proposal. The Solicitor-General said the object of the Bill was to deal with the national food supply, but the hon. Baronet said its object was to prevent excessive game preservation except when compensation was paid to the tenant. It was in the latter light they had considered it. Supposing a tenant had made an arrangement with his landlord under which he received £50 a year as the equivalent for the damage caused by game. There was no express written agreement, but he received £50 a year for ten years and then when he received notice for bad farming or gave notice he might claim compensation which would include the sum he had received.

SIR W. ROBSON said the right hon. Gentleman had put with great clearness a case which exactly illustrated the necessity for this Amendment—a case in which there was a contract or an arrangement to compensate for the damage done by game and where the damage was estimated at a definite amount first of all, although it was neither arranged nor in the contract, nor made before the tenancy was arrived at. That was precisely the arrangement which might be valid under this Amendment. It must not be assumed that the Amendment did nothing. It certainly did exactly what was put by the right hon. and gallant Gentleman. Not only might the arbitrator take it into account, he must take it into account. The Amendment dealt with two cases. It dealt with one which he imagined was somewhat rare, the case of an agreement in the contract to allow a definite amount for any damage done by game. Then it dealt with an alternative case which was precisely that put by the right hon. and gallant Gentleman, where before the contract was arrived at terms had been discussed and the landlord and tenant had in some way combined to deal with the question. When it was proved to the arbitrator that the matter had been treated in a definite way he was bound to take it into account. But where there was no definite amount, where it was an ordinary case of each party taking into account all the conditions, the case would not come under the Amendment.

*MR. HAROLD COX (Preston) suggested that possibly the desire of hon. Members opposite would be met by taking out the words proposed to be omitted and inserting the word "definite" in front of the previous word.

Question put.

The House divided:—Ayes, 305; Noes, 101. (Division List No. 386.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armstrong, W. C. Heaton
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somerset
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn W. C. B. (Hexha'm
Bell, Richard
Bellairs, Carlyon
Bennett, E. N.
Berridge, T. H. D.
Bethell, J. H. (Essex, Romford
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Bolton, T. D. (Derbyshire, N.E.
Brace, William
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Brunner, Rt. Hn. Sir J. T. (Chesh.
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cheetham, John Frederick
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Corbett, C. H. (Sussex, E. Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J (Tynemouth)
Cremer, William Randal
Crombie, John William
Crooks, William
Crosfield, A. H.
Cross, Alexander
Crossley, William J.
Davies, Ellis William (Eifion)
Davies, M Vaughan-(Cardigan
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon John Edward
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H
Ginnell, L.
Gladstone, Rt. Hn Herbert John
Glendinning, R. G.
Gooch, George Peabody
Greenwood, G (Peterborough
Greenwood, Hamar (York)
Gulland, John M.
Haldane, Rt Hon. Richard B.
Hammond, John
Hardie, J. Keir (Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Illingworth, Percy H.
Jackson, R. S.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, Sir Joseph F. (Accrington)
Lehmann, R. C.
Lever, W. H. (Cheshire, Wirral)
Levy, Maurice
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Charles (Donegal, E.)
M'Crae, George
M'Killop, W.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln
Marks, G. Croydon (Launceston)

Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Nicholls, George
Nicholson, CharlesN(Doncast'r
Nolan, Joseph
Norman, Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick(Kilkenny)
O'Connor, James(Wicklow, W.)
O'Connor, John(Kildare,N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Dowd, John
O'Kelly, James(Roscommon,N
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk,Eye)
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Price, C. E.(Edinb'gh,Central)
Price, RobertJohn(Norfolk,E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, John E.(Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, T.F.(Wolverh'mpton
Rickett, J. Compton
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt.Hn.E. (Dundee)
Robertson, J. M. (Tyneside)
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Samuel, HerbertL.(Cleveland)
Samuel, S. M. (Whitechapel)
Scott,A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, Theodore C.(Radcliffe)
Thomas, Abel(Carmarthen,E.)
Thomas, SirA.(Glamorgan, E.)
Thomasson, Franklin
Thorne, William
Tomkinson, James
Torrance, Sir A. M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton,SirJohnL.(Leeds,S.)
Walton, Joseph(Barnsley)
Ward, John (Stoke upon Trent)
Ward, WDudley(Southampton
Wardle, George J.
Wason, Eugene(Clackmannan)
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams,Llewelyn(Carmarth'n
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon.C.H.W.(Hull,W.)
Wilson, HenryJ.(York,W.R.)
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES.—Mr. Whiteley and Mr. J. A. Pease

NOES.

Acland-Hood, Rt HnSirAlex.F.
Agnew, George William
Aubrey-Fletcher, Rt.Hon.SirH
Balcarres, Lord
Balfour, RtHnA.J.(CityLond.)
Banbury, Sir Frederick George
Baring, Hon. Guy (Winchester
Barlow, Percy (Bedford)
Barrie, H. T.(Londonderry, N.)
Beach, Hn.MichaelHughHicks
Beck, A. Cecil
Beckett, Hon. Gervase
Bertram, Julius
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Burnyeat, W. J. D.
Butcher, Samuel Henry
Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P.Joicey-
Cecil,Lord R. (Marylebone, E.)
Coates, E.Feetham(Lewisham)
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Craig, CaptainJames(Down,E.)
Craik, Sir Henry
Dalmeny, Lord
Dixon-Hartland, SirFredDixon
Doughty, Sir George
Duncan, Robert(Lanark,Govan
Erskine, David C.
Fardell, Sir T. George
Fell, Arthur
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Col.Alan(Hereford,S.)
Gardner, Ernest(Berks,East)
Gibbs, G. A. (Bristol, West)
Grant, Corrie
Gurdon, Sir W. Brampton
Hamilton, Marquess of
Hardy, Laurence(Kent,Ashford
Harrison-Broadley, Col. H. B.
Herbert, T. Arnold (Wycombe)
Hervey, F.W.F.(BuryS.Edm'ds
Kennaway, Rt.Hon.SirJohnH.
Kenyon-Slaney, Rt.Hon.Col.W
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Liddell, Henry
Long, Col.CharlesW.(Evesham)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Muntz, Sir Philip A.
Napier, T. B.
Nicholson, Wm.G.(Petersfield)
Nield, Herbert
Nussey, Thomas Willans
Partington, Oswald

Paulton, James Mellor
Pease, Herbert Pike(Darlington
Percy, Earl
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, JohnFrederickPeel
Remnant, James Farquharson
Renton, Major Leslie
Ridsdale, E. A.
Roberts, S.(Sheffield,Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H.(Hertford, East)
Smith, F.E.(Liverpool,Walton)
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot, Rt.HnJ.G.(Oxf'dUniv.
Tennant, SirEdward(Salisbury
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Turnour, Viscount
Valentia, Viscount
Vincent, Col.Sir C. E. Howard
Warde, Col. C. E.(Kent,Mid)
Whitbread, Howard
White, Luke (York, E. R.)
Wodehouse, Lord(Norfolk,Mid)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George

TELLERS FOR THE NOES—Mr. Everett and Colonel Lockwood.

Original question again proposed.

COLONEL KENYON-SLANEY moved an Amendment to the proposed Amendment to insert after "made" in line 4, the words "or where payments or allowances have been made by the landlord in respect of such damage." The case he wished to provide for was that in which, after the contract had been made, the landlord voluntarily gave compensation year by year to a tenant for damage by game. The matter was not raised at the time the contract was entered into, but because the landlord recognised that damage had been done, or was being done, by game he voluntarily made a rebate every year. When compensation was claimed by an outgoing tenant in such a case, as it might be, it would be hard upon the landlord if the arbitrator was not allowed to take it into consideration.

MR. RAWLINSON seconded.

Amendment proposed to the proposed Amendment—

"In line 4, after the word 'made' to insert the words 'or where payments or allowances have been made by the landlord in respect of such damage.'"—(*Colonel Kenyon-Slaney.*)

Question proposed, "That those words be there inserted in the proposed Amendment to the Bill."

THE SOLICITOR-GENERAL FOR SCOTLAND (Mr. URE, Linlithgowshire) said it was entirely unnecessary to introduce the words proposed. Any intelligent arbitrator would of course take into account any payments which the landlord had made in respect of damage by game.

MR. RAWLINSON said that no doubt under ordinary circumstances the construction of the hon. and learned Gentleman was perfectly reasonable, but here it was expressly defined what the arbitrator had to take into account in dealing with the question. In a case where there was a long lease and the rent was originally fixed at a high sum, rebate might be made year by year, sometimes for damage by game and sometimes owing to bad times, and the arbitrator ought to have to find out the proportions. The Amendment of his right hon. friend could do no harm to the Amendment of the Solicitor-General.

SIR W. ROBSON said all that the clause dealt with was compensation for damage by game, and any payment in respect thereof would undoubtedly be taken into account. If it were shown as to part of the damage that it had been treated as an equivalent claim compensation did not arise.

MR. LYTTLETON (St. George's, Hanover Square) thought there was some doubt about the matter. He perfectly agreed with both the Solicitor-General for England and the Solicitor-General for Scotland that in any ordinary case a competent arbitrator would be bound to deduct any payments that had been made. But the crucial point was that special provision was made that this thing and that thing were to be taken into account, and it seemed more than doubtful whether it would not be held afterwards that in specific cases the arbitrator might make these deductions, but not in others.

SIR W. ROBSON contended that it could not be said that they had expressed something which would imply the exclusion of other things.

COLONEL LOCKWOOD asked how simple laymen could understand what the Government meant by this clause when two learned Members on one side said one thing and two learned Members on the other said something else. It surely ought to be possible for the Solicitor-General to set out this clause in such a manner that both landlord and tenant might be able to understand it, and so that justice might be done to both parties without having to call in gentlemen to indulge in whom was the most expensive form of luxury.

VISCOUNT TURNOUR suggested that the Government should redraft the main Amendment. If hon. and learned Members could not understand it the average tenant farmer would not be able to do so. This was only another instance of the trouble the Government had got themselves into by their ill-considered Amendments to a Bill introduced by other people.

Question put.

The House divided :—Ayes, 81 ; Noes 332. (Division List No. 387.)

AYES.

Acland-Hood, RtHnSirAlex.F.
Aubrey-Fletcher, Rt.Hn. Sir H.
Balcarres, Lord
Balfour, RtHnAJ.(City Lond.)
Banbury, SirFrederickGeorge
Baring, Hon.Guy(Winchester)
Barrie, H. T. (Londonderry, N.
Beach, Hn.MichaelHughHicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cecil, Evelyn(AstonManor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Coates, E. Feetham (Lewisham
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Craig, CaptainJames(Down, E.
Craik, Sir Henry
Davies, David(MontgomeryCo.
Dixon-Hartland, SirFredDixon
Doughty, Sir George
Duncan, Robert(Lanark,Govan
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Hardy, Laurence(Kent,Ashford
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hervey,F.W.F(BuryS.Edm'ds)
Kennaway, Rt. Hon.SirJohnH.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, AndrewBonar(Dulwich)
Liddell, Henry
Lockwood, Rt.HnLt.-Col.A.R.
Long, Col.CharlesW.(Evesham)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Muntz, Sir Philip A.
Nicholson, Wm. G.(Petersfield)
Pease, HerbertPike(Darlington
Percy, Earl
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, John FrederickPeel
Remnant, James Farquharson
Roberts, S.(Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, F.E.(Liverpool,Walton)
Starkey, John R.
Stone, Sir Benjamin
Talbot, Rt. Hn.J.G(Oxf'dUniv.
Tennant, SirEdward(Salisbury
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Turnour, Viscount
Valentia, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid)
Wilson, A. Stanley (York,E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George

TELLERS FOR THE AYES—Colonel Kenyon-Slaney and Mr. Abel Smith.

NOES.

Abraham, William(Cork,N.E.)
Abraham William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Alden, Percy
Allen, A.Acland(Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armstrong, W.C. Heaton
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, JosephA.(Finsbury,E.)
Baring, Godfrey(Isle of Wight)
Barker, John
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont,HnW.C.B(Hexham)
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, SirJWilliams(Devonp'rt)
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, J. H. (Essex, Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Boulton, A. C. F. (Ramsey)
Brace, William
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Brunner, RtHnSirJT.(Cheshire
Bryce, RtHn.James(Aberdeen)
Bryce, J.A.(Inverness Burghs)
Buchanan, Thomas Ryburn
Burnyeat, W. J. D.
Buxton, Rt.HnSydneyCharles
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.

Causton, Rt.HnRichardKnight
Cawley, Frederick
Cheetham, John Frederick
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins,SirWm.J.(S.Pancras,W.
Corbett, CH(Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, HerbertJ.(Tynemouth)
Cremer, William Randal
Crombie, John William
Crosfield, A. H.
Cross, Alexander
Crossley, William J.
Dalmeny, Lord
Dalziel, James Henry
Davies, Ellis William(Eifion)
Davies, M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur(Edinburgh,S.)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C.(Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gardner, Col. Alan(Hereford,S.)
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt.HnHerbertJohn
Glendinning, R. G.
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hammond, John
Hardie, J.Keir(MerthyrTydvil)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur(Durham)
Henderson, JM(Aberdeen,W.)
Henry, Charles S.
Herbert, Colonel Ivor (Mon.,S.)
Herbert, T. Arnold(Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Illingworth, Percy H.
Jackson, R. S.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, EdmundG.(Leominster)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, SirJosephF.(Accrington)
Lehmann, R. C.
Lever, A. Levy (Essex,Harwich
Lever, W. H.(Cheshire,Wirral)
Levy, Maurice
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs)
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah(Down, S.)
MacVeigh, Charles(Donegal,E.)
M'Crae, George
M'Killop, W.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H.Rendall(Lincoln)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J.Lloyd(Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, CharlesN.(Doncast'r
Nolan, Joseph
Norman, Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Dowd,John
O'Kelly, James(Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James(Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Price, C. E. (Edinb'gh, Central)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Renton, Major Leslie
Richards, T.F.(Wolverhampt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt.Hn.E. (Dundee)
Robertson, J. M. (Tyneside)
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Samuel, HerbertL.(Cleveland
Samuel, S. M. (Whitechapel)
Scott, A.H.(Ashton underLyne
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John

Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, Theodore C. (Radcliffe)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thompson, J. W. H. (Somerset, E
Tomkinson, James
Torrance, Sir A. M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarth'n
Williams, Osmond (Merioneth)
Wilson, Hon. C. H. W. (Hull, W.)
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord (Norfolk, Mid
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry.

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

Proposed words there inserted in the Bill.

MR. BEALE (Ayrshire, S.) expressed his regret that he was prevented by accident from moving his previous Amendment. He hoped there would be an opportunity of putting the matter right in another place. The intention of the Amendment he desired to move now was to express and make perfectly definite the intention of the framers of this section in order to make it work smoothly and fairly. There was a danger that the tenant might grow his crops with a view to obtaining compensation, and he might neglect to get them in with proper care. It was essential that reasonable precautions should be taken to mitigate damage. The Amendment he now proposed was in the following terms—

> "Provided also that the arbitrator shall take into consideration the question whether the crop was a proper mode of cultivation and that no compensation shall be included for damage which the arbitrator shall deem to be due to the neglect or refusal of the tenant to take such precautions to mitigate or prevent the damage as he could reasonably have taken without himself incurring any special expense for the purpose, and having regard to any permission or facilities given or offered by the landlord."

The last words of the Amendment were intended to safeguard the tenant against having to incur extra expense in order to prevent damage by game. It was not suggested that the arbitrator should be able to say to the tenant that a certain amount of damage could have been prevented if he had armed a sufficient number of boys with guns or pistols to shoot the game. The arbitrator was only to take into consideration what the tenant could be expected to do without increasing his staff. Above all, he was to have regard to the fact that game frequently came from the ground belonging to another landlord. The landlord would go to his neighbour and say that he must keep the game from coming or give the tenant compensation. It had been pointed out that that would not give complete protection in pheasant counties, but it would enable them to come to some reasonable arrangement without friction. What he wanted was that the arbitrator should be able to take into account reasonable conduct all round.

COLONEL LOCKWOOD seconded the Amendment, remarking that it was an extremely fair one, and that probably, as it was moved by one of their own supporters, the Government might see fit to insert it. A tenant might, with the view of obtaining compensation for damage, abstain from taking certain precautions which he might fairly have been expected to take. He might do so by leaving crops exposed to wind and wet, or he might, departing from the ordinary custom of the country as to the cropping, grow wheat in a field contiguous to a place where it was known that game existed, a thing which he might have no right to do under his lease. It should be proved that the tenant had not neglected to take reasonable precautions against damage by game, provided that such precautions could be taken without expense to himself. He thought they were all agreed that that would be perfectly fair. A landlord, for instance, might say to a tenant, "Your crops are open to the attacks of game from my cover. I will send down so many hundred yards of wire or netting, and I will send my men to do the fencing"—and that case was happening every other day—but if the tenant said he did not want the men that day, and left the wire or the netting lying about the hedgerows until it was practically useless, he would have neglected precautions to protect himself against damage by game which the landlord was ready to afford. Other precautions which the landlord was willing to give might be neglected by the tenant, and the landlord might be put in a very unfair position.

Amendment proposed—

"In page 2, line 20, after the word 'made,' to insert the words 'Provided also that the arbitrator shall take into consideration the question whether the crop was a proper mode of cultivation and that no compensation shall be included for damage which the arbitrator shall deem to be due to the neglect or refusal of the tenant to take such precautions to mitigate or prevent the damage as he could reasonably have taken without himself incurring any special expense for the purpose, and having regard to any permission or facilities given or offered by the landlord.'"—(*Mr. Beale.*)

Question proposed, "That those words be there inserted in the Bill."

SIR W. ROBSON said the Amendment was very vague. The argument in favour of it had been temperately and moderately stated, and it was one which might appeal to the reason of anyone, but when they came to look into the proposal they found that it was certainly one which would turn a simple controversy or inquiry between landlord and tenant into a very serious and substantial litigation. The inquiry which this Amendment would involve might possibly necessitate the employment of solicitors and counsel at the arbitrations and the payment of substantial fees. The question whether a tenant had followed the proper and ordinary mode of cultivation in the country was a difficult matter to decide, and it could only be decided after elaborate inquiry. The Government could not accept the Amendment. It should not be imagined that the landlord was entirely without protection. There was a very excellent principle of English law that no man should profit by his own wrong, and that principle was imported into every Act of Parliament. Therefore, if a tenant left his crop to the inclement influences of wind and wet, and if, watching it day by day, he, instead of delighting in its progress and hailing the sunshine, looked to the period when he would have a valuable claim, he would find himself disappointed. He would not be entitled to gain advantage from his own wrong. The Amendment would open up a very doubtful field of investigation, and it might be an extremely serious matter if the words received a very strict and unfriendly construction. The Government, on the whole, were content to rest upon the principle that a man should not profit by his own wrong. The arbitrator could not allow a tenant to take advantage of his own wrong, and they must leave him to deal generally with these matters, which would undoubtedly affect in his mind the amount of compensation.

*MR. STUART WORTLEY (Sheffield, Hallam) said there were cases in which a farmer might lure game on to his farm, and it seemed to him that in such cases the arbitrator would have no such discretion as that to which the Solicitor-General had referred. There would be the tenancy, the game, and the damage. The game had caused the damage, and it would not be open to the arbitrator to take into consideration any of the causes due to the neglect of the tenant. The general rule of the law that a tenant or anybody else must not be allowed to take advantage of his own wrong was one which in this case would not apply. It was not a wrongful act for a tenant to crop in any way he thought proper if the terms of his agreement permitted his doing so, nor would the arbitrator be able to take into consideration any such suggestion as to the tenant not having taken the precautions necessary to drive away the game.

*MR. BRIDGEMAN (Shropshire, Oswestry) said the Amendment was all the more necessary on account of the fact that the tenant was under no obligation to give notice of damage to the crop till three weeks before it was reaped. He would like to ask the Solicitor-General if a man came to him on the 1st of August and said that his crop had been damaged by game in the spring, how would he satisfy himself as to the truth of his statement? And how would he satisfy himself that the man's fields had been cultivated according to good methods of husbandry? It was, therefore, all the more necessary to accept the Amendment. He understood that this Bill was intended to defend the good tenant from the bad landlord, and the good landlord from the bad tenant, but here was a distinct refusal on the part of the hon. and learned Gentleman to protect the good landlord from the bad tenant.

COLONEL KENYON-SLANEY said the gist of the Solicitor-General's argument seemed to be that injustice might possibly follow an act done by a tenant, but that as it was difficult to devise a proper form of words to remedy that injustice, they should leave that injustice alone. He thought that that was rather hard lines, and that the Government should really try to select a proper form of words. He did not want to press the idea that there would be either malignant or fraudulent tenants; but still there would be considerable temptation to some men to try to take advantage of the Act of Parliament for their own benefit.

MR. URE said he would remind the right hon. Gentleman opposite that the clause now under consideration bore a strong family likeness to a clause in the Act of 1877 which owed its form largely to the right hon. Gentleman himself. In Committee upstairs there was not a hint of a suggestion that such an instruction as was embodied in the Amendment should be introduced, and he thought it was entirely unnecessary. Were the House really going to say that an arbitrator, selected by intelligent landlords and tenants to settle a claim for damages, would have so little sense as not to be able to see when a man had wilfully courted damage, and that therefore he was not entitled to compensation? He might not have the maxim *volenti non fit injuria* always before him, but he would have the spirit of that maxim in his mind, and would not be likely to give the tenant damages for his own failure to take the precautions referred to in the Amendment.

VISCOUNT TURNOUR said that it seemed to him, at first sight certainly, and with the law as it stood at present, that the first part of this Amendment was more or less unnecessary. He understood the hon. and learned Gentleman who moved it to say that the first part of the Amendment was to prevent the farmer cultivating and growing an improper crop for the purpose of obtaining compensation. Under the law, as it stood at present, he thought both sides of the House would agree that that was an exceptional case, and not likely to occur. Under the law, however, as it was proposed to be altered by this Bill, he was not sure it would be such an exceptional case. Looking at this clause and another to be subsequently discussed, and also to the amount of compensation which it was proposed to pay under the Bill for different classes of damage, he was bound to admit that it might be possible in very exceptional cases for an unscrupulous tenant to grow a crop for the purpose of compensation. Supposing, for instance, a tenant farmer whose land was very poor and unsuited for market gardening turned it into a market garden and wished to cultivate strawberries. He would have an object for doing so, though not a very proper one, viz., that he might obtain two classes of compensation—the first for damage done to his strawberries by game; and, secondly, when he left his holding, for so-called improvements. The cultivation of strawberries might not be an improvement to the farm at all in the long run. He thought also there was a second point which had escaped the notice of the House. There was no reason why an unscrupulous farmer should not feed his land for the purpose of attracting partridges and pheasants upon it. Everyone would agree with him that if they put down amongst strawberries a certain amount of maize and corn considerable injury would be done by pheasants or partridges. The hon. Member for Cardiff laughed. Did he see anything very extraordinary——

MR. GUEST (Cardiff District): I think it is an intrinsic absurdity.

VISCOUNT TURNOUR said he could not carry on an argument across the floor of the House, but when he sat down perhaps the hon. Gentleman would tell the House where the intrinsic absurdity came in in the instance he had given. There was nothing absurd in a farmer wishing to cultivate strawberries for the purpose he had referred to. Coming to the second part of the Amendment, namely—

> "That no compensation shall be included for damage which the arbitrator shall deem to be due to the neglect or refusal of the tenant to take such precautions to mitigate or prevent the damage as he could reasonably have taken without himself incurring any special expense for the purpose and having regard to any permission or facilities given or offered by the landlord,"

he was bound to confess that he saw no hardship in the proposed Amendment to either tenant or landlord. He thought one hon. Gentleman opposite had admitted that in many respects it was a reasonable Amendment: it was exceedingly necessary before compensation was paid that tenants should do their best to prevent damage being done to their crops. Even if the House and the Government refused to accept the first part of the Amendment, they should accept the second part. Under the Bill as it stood it gave an opening which, however, might only be taken advantage of in rare instances, to an unscrupulous farmer to grow a crop, say, of strawberries simply for the purpose of obtaining compensation of two classes and a crop which did not pay, but which would pay on the grounds he had mentioned.

Mr. BEALE did not think he should serve any useful purpose in pressing his Amendment to a division. He was rather discouraged, however, from withdrawing his Amendment by what had been said by the learned Solicitor-General for England.

***Mr. SPEAKER** said the hon. Member was not entitled to make a speech. He could withdraw his Amendment.

Mr. BEALE said he wanted to make it clear that he asked leave to withdraw in consequence of what the learned Solicitor-General for Scotland had said.

Leave to withdraw Amendment refused.

Mr. WILLIAM REDMOND (Clare, E.) said his whole attitude towards the Amendment had been changed by the speech of the noble Lord above the gangway and by his cogent, lucid, and closely reasoned argument. He did not think anyone could have thrown more light upon the subject. For instance, he did not believe that there was any man in this House into whose mind it would have entered that the tenant might ruin the land in order to grow a crop of strawberries. That put the matter in an entirely different light. He appealed to the noble Lord not to do what he understood he was about to do and leave his Party for some time. He could not blame the noble Lord or anyone for wanting to leave the Party. He would ask the noble Lord, however, to respond to the call of duty, to stand by the ship and not desert it at the present moment. He did not know what they would do in these complicated debates in which nice law points suddenly occurred if they were deprived of his services. One naturally liked to see the Party to which one was opposed reach the lowest possible level of power, but he did not think any one wanted to see the Party deprived of the noble Lord's services.

Sir FREDERICK BANBURY thought that the statement of the Solicitor-General for Scotland fell to the ground, as there was no power to appoint an arbitrator.

Question put.

The House divided:—Ayes, 68; Noes, 307. (Division List No. 388.)

AYES.

Acland-Hood, Rt.HnSirAlex.F.
Aubrey-Fletcher, Rt.Hn. SirH.
Balcarres, Lord
Balfour, Rt. Hn.A.J.(CityLond
Banbury, Sir Frederick George
Baring, Hon. Guy (Winchester)
Barrie, H.T. (Londonderry, N.)
Beach, Hn.MichaelHugh Hicks
Beckett. Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Coats, E.Feetham(Lewisham)
Cochrane, Hon. Thos. H. A. E
Corbett, T. L. (Down, North)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland, SirFredDixon
Duncan,Robert(Lanark,Govan
Fardell, Sir T. George
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Hardy, Laurence(Kent,Ashford

Viscount Turnour.

Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hervey,F.W F.(Bury,S.Edm'ds
Hills, J. W.
Kenyon-Slaney, Rt.Hn.Col. W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lowe, Sir Francis William
Muntz, Sir Philip A.
Nicholson, Wm. G. (Petersfield)
Pease, HerbertPike(Darlington
Percy, Earl
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Rawlinson, JohnFrederickPeel
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Smith, Abel H. (Hertford, East
Smith,F.E.(Liverpool,Walton
Starkey, John R.
Stone, Sir Benjamin
Talbot, Rt.Hn.J.G.(Oxf'dUniv
Thomson, W. Mitchell-(Lanark
Turnour, Viscount
Valentia, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid)
Wilson, A.Stanley(York, E.R.)
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George

TELLERS FOR THE AYES—Mr. Beale and Colonel Lockwood.

NOES.

Abraham, Wm. (Cork, N. E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Allen, A. Acland(Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Joseph A.(Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beaumont,Hon.H.(Eastbourne
Beaumont,Hn.W.C.B.(Hexh'm
Beck, A. Cecil
Bellairs, Carlyon
Benn, SirJ.Williams(Devonp'rt
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, J. H. (Essex,Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Boulton, A. C. F. (Ramsey)
Brace, William
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Brunner,RtHn.SirJT.(Cheshire
Bryce, J. A. (InvernessBurghs)
Buchanan, Thomas Ryburn
Burnyeat, W. J. D.
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cawley, Frederick
Cheetham, John Frederick
Churchill, Winston Shencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, SirWm.J.(S.Pancras,W
Corbett, C.H(Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crosfield, A. H.
Crossley, William J.
Dalmeny, Lord
Dalziel, James Henry
Davies, David (Montgomery C.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Fiennes, Hon. Eustace
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gardner, Col. Alan(Hereford,S.
Gill, A. H.
Ginnell, L.
Gladstone,Rt.Hn.HerbertJohn
Glendinning, R. G.
Grant, Corrie
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hammond, John
Hardie, J.Keir(MerthyrTydvil)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, Wm. (Carnarvonshire)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G.(Leominster)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, SirJosephF.(Accrington)
Lehmann, R. C.
Lever, A. Levy(Essex,Harwich
Lever, W. H. (Cheshire, Wirral)
Levy, Maurice
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs)
Mackarness, Frederic C.

Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Kean, John
M'Killop, W.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon(Launceston
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
O'Shee, James John
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearson, W.H.M.(Suffolk, Eye)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Price, C. E. (Edinb'gh, Central)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Rees, J. D.
Renton, Major Leslie
Richards, T.F.(Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Samuel, Herbert L.(Cleveland)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, ThomasF. (Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward(Salisbury
Thomas, SirA.(Glamorgan, E.)
Thompson,J.W.H.(Somerset,E
Tomkinson, James
Torrance, Sir A. M.
Ure, Alexander
Verney, F W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent
Ward, W. Dudley(South'mpton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn(Carmarth'n
Williams, Osmond (Merioneth)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord(Norfolk,Mid)
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

Amendment proposed to the Bill—

"In page 2, line 21, after the word 'kill,' to insert the word 'the.'"—(*Colonel Kenyon-Slaney.*)

Question proposed, "That the word 'the' be there inserted in the Bill."

Amendment, by leave, withdrawn.

MR. ABEL SMITH moved an Amendment to provide that the shooting tenant should be entitled to the same notice of a claim for damage as that to be given to the landlord. He thought it was an Amendment which the Government would have no difficulty in accepting. The hon. Baronet in charge of the Bill would observe that in the case of the landlord where damage had been done and compensation had to be paid by him, he was entitled to have further notice, so that he might be able to ascertain whether a fair claim had been made and whether so much damage had been done as was alleged. And by the third section, where the right to kill game had been vested in a third person, the landlord was entitled to be indemnified by that third person. Under these circumstances it was only fair and just that the third person, the shooting tenant, should be entitled to the same notice that the landlord received. He begged to move.

VISCOUNT TURNOUR seconded the Amendment, which he imagined the

Government would have no difficulty in accepting as it was only just that the shooting tenant should have the same rights as the landlord under this section.

Amendment proposed—

"In page 2, line 24, at end, to add the words, 'Such other person shall be entitled to the same notice of intention to make a claim as the landlord is entitled to under this section, and the same limit of time within which a claim can be made shall apply.'"—(*Mr. Abel Smith.*)

Question proposed, "That those words be there inserted in the Bill."

COLONEL KENYON-SLANEY expressed the opinion that it was worth while to accept this Amendment if only for the reason that in all probability when the shooting tenant received this notice he would more often than not step in and settle the claim, and in most cases settle it very generously.

THE CIVIL LORD OF THE ADMIRALTY (Mr. LAMBERT, Devonshire, South Molton) said the acceptance of this Amendment would be to throw an obligation on the tenant to give notice to a third party whom he did not know. The better plan would be to let the whole thing be done together. The shooting was very often let to different people every year and the tenant had no means of finding out who the shooting tenant was. The landlord did know. Therefore, with great respect to hon. Gentlemen opposite he could not accept the Amendment. It would add complexity to the Act. They had already given power to the landlord to be indemnified by the person to whom he let the shooting. Surely under these circumstances they might leave this matter where it was.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.) said he certainly was surprised at the attitude of the Government in this matter. Of one thing he was certain and that was that the learned Solicitor-General for Scotland would be in favour of this Amendment. The Civil Lord of the Admiralty had said it was very desirable that it should not be made more difficult for the tenant to get compensation, which would be the case if he had to give an additional notice. But the hon. and learned Solicitor-General for Scotland had told the House how well the Scottish Act worked and that there the tenant had no difficulty. Section 7 of that Act provided that no action could be taken by a lessee against a lessor unless notice had been given by the lessee of his intention to take the same, and the third section of that Act defined the word "lessor" to mean the grantor of a lease of a farm for not less than two years, or any person holding under him. Under the law of Scotland notice had to be given by the tenant to the grantor or any person holding under him. But apart from the question of law, equity demanded that such notice should be given to the shooting tenant. Let them take the case of a field of potatoes next a cover. In a dry year pheasants would come out of the cover and do a deal of damage by scratching among and uncovering the potatoes. That would take place comparatively early in the autumn months. If the shooting tenant got notice of that at the time he could send his keepers round and prevent it by wiring off that part of the field or in some other manner. But if the farmer had to claim from the landlord and the landlord in turn from the shooting tenant all he could say was that if he were the shooting tenant he would turn round and say he had been very unfairly treated in not having had notice earlier. But the landlord might not have had notice at the time. He suggested that instead of adopting the circuitous methods so beloved by all Governments, the comparatively simple method of dealing with the matter by accepting this Amendment should be adopted.

MR. HICKS BEACH was surprised the Government could not accept this Amendment, and also at the arguments that had been urged against it. He failed to see that there would be any difficulty in the tenant's finding out who the shooting tenant was. It would be very unfair for the landlord to be able to come down on the shooting tenant in order to be indemnified for damage done by game, without giving the shooting tenant an opportunity of investigating the extent of the damage.

MR. URE said that what would happen would be that the tenant would make a claim against the landlord, who, knowing he had a right of relief from the shooting tenant, would on receiving the claim instantly intimate the fact to the shooting tenant so as to enable him to defend the claim. The tenant did not need to give any intimation to anybody but the man who had let the land to him, leaving the landlord to obtain his own relief against the shooting tenant, which he was well enabled to do without any express provision to this effect. This clause had been well considered by the Government. It would be a little hard to insert the Amendment now suggested, because if by any mischance notice was not given by the tenant to the shooting tenant the former's claim against the landlord would be barred merely because he had made the technical mistake of not giving notice to the shooting tenant. It would be putting too heavy a burden on the tenant without any corresponding advantage to the landlord.

SIR FREDERICK BANBURY said it would not be any advantage to the landlord, but he thought the shooting tenant would be put into a very hard position if notice was not given him. The claim should be made against the landlord, but if they were going to allow the landlord to make a counter - claim against the shooting tenant, they must give the latter some opportunity of making a defence. If the shooting tenant received notice at the same time as the landlord he would be able to act. If, however, he did not receive a notice until he got it in the form of a claim from the landlord some time afterwards, it would be impossible for him to get any evidence in mitigation of the claim. It was absurd to suggest that the tenant did not know who the shooting tenant was. The only difficulty was writing an extra letter and buying an extra stamp.

Question put.

The House divided:—Ayes, 53; Noes, 275. Division List No. 389).

AYES.

Acland-Hood, Rt.HnSir AlexF.
Anson, Sir William Reynell
Aubrey-Fletcher, Rt. Hn.SirH.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond
Banbury, Sir Frederick George
Baring, Hon. Guy (Winchester)
Barrie, H.T.(Londonderry, N.)
Beckett, Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Carlile, E. Hildred
Cave, George
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Craig, Capt. James (Down, E .)
Cross, Alexander
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Hardy, Laurence(Kent,Ashford
Harrison-Broadley, Col. H. B.
Hervey, F.W.F.(BuryS. Edm'd
Hills, J. W.
Kennaway, Rt.Hn. Sir John H.
Kenyon-Slaney, Rt.Hon.Col.W
Kimber, Sir Henry
Law, Andrew Bonar (Dulwich)
Lockwood, Rt.Hn.Lt.-Col.A.R.
Lowe, Sir Francis William
Muntz, Sir Philip A.
Pease, HerbertPike(Darlington
Randles, Sir John Scurrah
Rawlinson, JohnFrederickPee
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Smith, F.E.(Liverpool,Walton)
Starkey, John R.
Stone, Sir Benjamin
Thomson, W.Mitchell-(Lanark)
Turnour, Viscount
Valentia, Viscount
Warde, Col. C. E. (Kent, Mid)

TELLERS FOR THE AYES—Mr. Abel Smith and Mr. Hicks Beach.

NOES.

Abraham, Wm. (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Allen, A.Acland(Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Baker, Sir John (Portsmouth)
Baker, JosephA.(Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Bellairs, Carlyon
Benn, SirJ.Williams(Devonp't
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, J.H. (Essex, Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Boulton, A. C. F. (Ramsey)
Brace, William
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Bryce, Rt.Hn.James(Aberdeen
Bryce, J.A.(Inverness Burghs)
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burnyeat, W. J. D.
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cheetham, John Frederick
Clarke, C. Goddard
Cleland, J. W.

Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Sir Wm. J.(S. Pancras)
Corbett,C. H.(Sussex,E.Grinstd
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Cremer, William Randal
Crosfield, A. H.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Delany, William
Dilke, Rt. Hon. Sir Charles
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan,C.(Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gardner,Col. Alan(Hereford,S)
Gilhooly, James
Gill, A. H.
Gladstone,Rt.Hn.HerbertJohn
Grant, Corrie
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hammond, John
Hardie, J.Keir(MerthyrTydvil
Hart-Davies, T.
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Jackson, R. S.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)

Jones, Leif (Appleby)
Jones, William (Carnarvonsh.)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G.(Leominster)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, SirJosephF.(Accrington)
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Lever, W. H.(Cheshire, Wirral)
Levy, Maurice
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(Falkirk Bghs.
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.
MacVeigh, Chas.(Donegal, E.)
M'Crae, George
M'Kean, John
M'Killop,W.
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Napier, T. B.
Nicholls, George
Nicholson, Chas. N. (Doncaster
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(Tipperary,Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, John (Kildare, N.)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N

O'Malley, William
O'Shaughnessy, P. J.
O'Shee, James John
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs, Leek)
Pearson, W.H.M. (Suffolk,Eye)
Pickersgill, Edward Hare
Pirie, Duncan V.
Price, C. E. (Edinb'gh, Central
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.
Robertson, Rt. Hn. E. (Dundee)
Robertson, J. M. (Tyneside)
Robinson, S.
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Samuel, Herbert L. (Cleveland)
Sears, J. E.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.
Thompson, J.W.H.(Somerset,E
Tomkinson, James
Torrance, Sir A. M.
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.]
White, Patrick (Meath, North)
Whitehead, Rowland

Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn(Carmarth'n
Williams, Osmond (Merioneth)
Wilson, Henry J. (York, W. R.
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord(Norfolk,Mid
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. COCHRANE moved an Amendment excluding Scotland from the operation of the Act. He said he did not object to Scottish farmers having the protection which was claimed for them under the Act, but his objection was that it removed a good deal of the protection which Scottish tenant farmers already enjoyed. The Act did not apply to Ireland, although he understood that a good case could be made out for applying it to that country. The law upon this subject affecting Ireland was the same as in England, whereas in Scotland they had had an Act of Parliament for thirty years which had operated extremely well. The Solicitor-General had admitted that the Act of 1877 had worked admirably in Scotland, but it was now proposed by the Government to remove Scotland from the operation of that Act and place her under a totally different set of provisions. The Scottish law on the subject at the present time was clear and intelligible. It had been the subject of many decisions and had given universal satisfaction. Under the Scottish law there was this provision for arbitration. Each party might nominate an arbitrator, and before they set to work these two men nominated a third party in case they could not come to an agreement. The Government now proposed to remove this excellent arrangement and to substitute a rigid cast-iron system, under which the landlord and tenant had to agree upon one arbitrator, and in case of a dispute to appeal to the Secretary of the Board of Agriculture, who could appoint some friend of his own, who would have to settle the amount of the damage by game. The tenant farmers of Scotland would not be one whit better off under this Bill than they were at the present moment—in fact he thought they would be distinctly worse off. At present the Scottish tenant farmer was entitled to damage from his landlord if the damage from game exceeded one shilling per acre. In cases where no agreement existed between landlord and tenant the farmer could claim compensation for damage exceeding 40s. for the whole of his farm. The farmer would now have to go through two processes. The first was that he would have to prove that there had been damage to a greater extent than 1s. per acre; and in the second place he would have to go to the arbitrator to have the amount of the damage settled. What would be the tenant's position? The damage might be in spots all over the farm where the barley or wheat had been blown down by the storm, for that was the time when the pheasants did the damage. The tenant would have to show that a certain acreage had been damaged to the extent of 1s. per acre. When he had made his claim before the arbitrator and shown the damage he would perhaps only be able to prove damage to five or ten acres, and the rest of the damage to his farm he would not be able to prove. By this Bill they were restricting the tenant's power of claiming damage, they were not facilitating the opportunities he had of getting compensation and the general scheme of the clause did not commend itself to the tenants of Scotland. If he could see anything in this Bill which would make it easier for the Scottish tenant farmer to get any advantage he should heartily support this measure, but he did not see anything in it that would be of any benefit to the tenant farmers of Scotland.

Amendment proposed to the Bill—

"In page 2, line 24, at the end, to insert the words, '(4) This section shall not apply to Scotland.'"—(*Mr. Cochrane.*)

Question proposed, "That those words be there inserted in the Bill."

And, it being a quarter past Eight of the clock, and leave having been given to move the Adjournment of the House under Standing Order No. 10, further proceeding was postponed without Question put.

NETLEY HOSPITAL—DISCHARGE OF INVALID SOLDIERS.

MR. T. L. CORBETT (Down, N.) rose to move the adjournment of the House in order to call attention to the decision of the Government to discharge a number of invalid soldiers, who could not earn their livelihood, from Netley Hospital, without giving the House of Commons an opportunity of considering what provision could be made for them. He did not intend to detain the House long, because he was going to leave the details of the case to be dealt with by the noble Lord the Member for East Marylebone. He proposed to rest his Motion on several outstanding facts which he thought were quite sufficient justification for the Motion. There was nothing more remarkable in political life than the blunders made by very able men when they reached the Front Bench. There were certainly few abler men either in the House or outside than the Secretary for War. He was one of the ablest philosophers and statesmen, and therefore he was the more surprised that the right hon. Gentleman, should have stumbled into what he could not help thinking was one of the greatest blunders of the day. What was the case that he had to submit to the House? There was a number of invalids in Netley Hospital—men who had served their King and their country, who had gone through the hardships and privations of war, who had gone through the dangers of the battlefied and the no less deadly dangers of treacherous climates. They had suffered these things for the Empire to which they and we belonged. He was quite aware that that of itself was quite sufficient to stir up the animus of certain Members of the House against these old soldiers—[Cries of, "Oh, oh!"]—he did not mean Members below the gangway, but certain Members on the other side of the House. He did not see the hon. Members present to whom he was referring. The hon. and gallant Member for the Abercromby Division was not one of them, for no one had served his country with more gallantry in South Africa during the war than he. Whatever might be the feelings among a few Members on the Liberal side in regard to the men who had served their country in the way he had tried to describe, nothing but feelings of sympathy and goodwill would be held with regard to them by the majority in that House and in the country. He had spoken of what these men had suffered; what was to be their reward? To be cast out sick, penniless, friendless, to the cold comfort of the workhouse or the forlorn hope of casual charity! That was what the answer of the Secretary for War came to when he was pressed as to what was to be the real fate of these men. He was sorry to use language which might appear to be personal to the Secretary of State for War, for there was no man on that side of the House more respected and honoured by the Opposition than the right hon. Gentleman, but he was bound to say that no more inhuman, no more cruel proposal than that was ever submitted to the House of Commons. By whom was the proposal made? It was made by a Party which constantly posed as the friend of want and the friend of suffering. Sympathy was very often awkwardly expressed; it was very often misunderstood; it was never more awkwardly expressed or more misunderstood than in the case with which the House was dealing. It was a strange way of expressing sympathy with suffering and want to throw out these men who had served their country so well. What were the reasons given for the remarkable manner in which the Government proposed to treat these unfortunate men? He thought the first reason was the most cynical ever given to the House of Commons: it was that this proceeding would save £3,000 a year. The Liberal Government had just paid an official salary to the Lord President of the Council of £3,000, and that salary was created by the present Ministry to compensate a friend who did not require compensation. [AN HON. MEMBER: Question.] It was very much to the point. They saved £3,000 a year by turning these unfortunate men into the streets, but they were prepared to grant £3,000 to a noble Lord in the House of Lords who did not require it at all.

AN HON. MEMBER: What are they suffering from?

Mr. T. L. CORBETT said he did not intend to deal with innuendoes that would bring discredit on the Army. He knew how to treat them. Although the £3,000 saving might pay the salary of the Lord President of the Council who did not require it, it would not also pay the £300 salary of his secretary who was proved in the debates on the Estimates to have a sinecure.

Mr. DEPUTY-SPEAKER: Order, order. The hon. Member is allowing himself very great latitude.

Mr. T. L. CORBETT said his feelings had been so stirred by the case of these men that it was not unnatural that he should have been led a little astray from the point. What were the reasons given for the Government's decision? One was that it would save a paltry £3,000 a year; the other was that it would make room for more urgent cases for skilled surgical treatment. On the face of it he admitted that there was some reason in that argument if there was real need for the accommodation which these men occupied, and if only by their removal could surgical treatment be administered to urgent cases. That reason however was absolutely disposed of by a Question addressed to the War Secretary by the hon. and gallant Member for the Abercromby Division, than whom nobody knew more about Netley Hospital. That hon. and gallant Gentleman had asked if the Secretary for War was not aware that there were hundreds of vacant beds in the hospital. Therefore the argument used by the Secretary for War that by turning out these unfortunate men he was making room for more urgent and more serious cases, absolutely fell to the ground. The Secretary of State's answer to the hon. and gallant Member for the Abercromby Division was that he did not know but would make inquiry as to whether there were hundreds of beds vacant in Netley Hospital. But he ought to know. And he ought to have ascertained before he determined to turn out these poor friendless men, whose only crime, so far as he knew, was that they had served their King and country. If there were hundreds of vacant beds in Netley Hospital why did not the Secretary of State allot a separate ward for the treatment of these poor men? If that was impossible, why did he not make other provision for them? The right hon. Gentleman had stated in answer to a Question that if the House of Commons would make provision for these poor men he would be only too glad to supply it. His reply to that was that if the House of Commons were given the chance they would supply the necessary funds. The War Secretary had put hon. Members off with vague promises to wait until the Estimates came on again next year. In the meantime he was going to discharge any number of these unfortunate men from the hospital, and then it would be too late for the House of Commons to take the action that many hon. Members were determined to take. Let them not for the sake of a poor, mean, and pettifogging policy inflict this grievous wrong on men who had fought for their country through all the hardships which he had tried to describe. The Secretary for War had been making eloquent appeals to the country on Army reform. He had held up high ideals to the country, and he had spoken of a nation in arms and of a country rallying round the flag. It was surely a strange way of rousing patriotic enthusiasm and of fostering military ardour to treat these invalid soldiers in the harsh, heartless way which so far as his information went they had been treated. He ventured to say that he was justified in moving, as he did, "That this House do now adjourn."

Lord R. CECIL (Marylebone, E.) said that in rising to second the Motion he desired to say at the outset that though he regarded this as a very important question and worthy of the attention of the House, he did not think that it was in any sense a Party question. He trusted the House would believe him when he said that it was far from his desire to approach the subject in any such spirit as that. It was a matter of some importance from a public point of view, and of very great importance to those soldiers who were directly concerned, and he felt that it was a matter which the Government should be asked, especially from that side of the House, to treat in a sympathetic spirit because of its intrinsic justice.

The House would pardon him if he stated briefly what he understood to be the facts of the case. He might be wrong in some details, but if so the Secretary of State for War and the Financial Secretary to the Treasury could correct him. Netley Hospital, as many hon. Members were aware, was a very large building indeed. It extended over a considerable area of ground, and had been in existence for half a century. It was built at the time of the Crimean war, to afford accommodation not only for soldiers who were invalided in time of war, but in times of peace. The accommodation was, therefore, very large, and in process of years it so happened that a considerable number of patients who were in fact incurable were allowed to accumulate in the hospital. Whether that was right or wrong was not material to the question before the House. As a matter of fact, towards the end of 1905 there were a considerable number of patients suffering from diseases of an incurable character. Some of them were seriously ill; others were scarcely ill at all in the ordinary sense, but had some sickness or injury which was incurable. The authorities of the day therefore decided that a certain number of them should be discharged from the hospital, and that was done in November, 1905. But there were left in the hospital some men who were in a bad state of health, suffering from paralysis and other diseases which incapacitated them altogether from taking part in the struggle for life. These men and their friends believed that they were in the hospital for a permanency. Some of them had been in the hospital for seven, eight, nine, and ten years, and no doubt they anticipated that for the rest of their lives, necessarily rather a gloomy fragment of existence, they would not be disturbed, but that they would remain there without any further hardships and misfortunes. But in point of fact, for some reason or other of which he knew nothing at all, in the autumn of this year the Government decided that these men must be discharged. And one of the Questions he had put to the Secretary of State was what amount of notice was given to them before they were discharged. It might have been that it was inadequate, but it was the fact that these men were wholly without resources. They had nowhere to go, and he was told that they had no right to a pension because their services had not been sufficiently long. They were not eligible for Chelsea Hospital. He did not know exactly what the conditions were that required to be fulfilled before a man could be admitted into Chelsea Hospital. The right hon. Gentleman would no doubt inform the House whether there was any fund supplied by the public for men in this position. Unless there was such a fund, apart from private charity which the House should disregard altogether in considering this subject from a public point of view, the only resource of these men was to accept the workhouse. In some cases the place of their settlement was a long distance off, it might be away over in the west of Ireland. He did not want to say anything disrespectful of the Irish, but he was informed that Irish workhouses were not more comfortable than similar institutions in England, and to take an unhapppy man who, whatever the history of his case might be, had been for years absolutely incapacitated in Netley Hospital and discharge him thence, leaving him no refuge except an Irish workhouse was very hard measure indeed. Those were the facts of the case, and the official answer put into the mouth of the Secretary of State was that there was no longer room for them in Netley without depriving others of the advantages of that institution. He was told, however, that the hospital had accommodation for 800 or 900 persons, and that except in war time it was an exceedingly rare thing for there to be more than 300 patients. Indeed, frequently, the number of patients fell to 100 and sometimes lower. It was quite clear, therefore, that there was no want of room for these men. Then it was said that to keep these men in the hospital would cost £3,000 a year. He could not say that that was a very powerful argument for dismissing them.

MR. J. WARD: It is not worth talking about.

LORD R. CECIL: The hon. and enthusiastic Member for Stoke thinks that £3,000 is not worth talking about.

MR. J. WARD: In this case.

LORD R. CECIL said he was not disposed to differ; but he was astounded at the estimate which, at the rate of 10s per week should be sufficient to provide for 120 men. Whether the number of men was large or small, this was really a part of the important question—What were the obligations of the country and of the House to men who had become incurably diseased or injured in military service? It was not an easy one to settle. He was told that there was a considerable amount of disease in their case. He was told that a large number of soldiers came into hospital with chest disease, consumption or tuberculosis, but by the rules of the War Office they were kept a comparatively short time and then dismissed uncured. In the early stages of the disease they could be cured, but if neglected the disease became incurable. If it was true that these men suffering from consumption were only allowed to remain a short time, and no provision was made by the Government for open-air treatment in a sanitarium, a serious defect existed in our method of administration. He was also told that a very serious state of things existed in the case of soldiers who were lunatics, and that the accommodation for them was of a very limited character. The result was that a large number were dismissed from the hospital before they were cured, and the only result was that they would have to go into an infirmary, because the House would realise that lunatics in the poorer class of life were not only lunatics but friendless. The consequence was that they had no resources, and no place to go to whatever except the workhouse. This was extremely hard treatment to be awarded to a servant of the State. That was the general case which he wished to submit to the Government and to the House. It was a serious matter from several points of view. Could the House conceive anything worse for the general reputation of the Army and the Empire, because after all, whatever their views were upon Imperial and military questions, they did not desire the Army to have a bad reputation. This was, however, a subject in which the general reputation of the Army in the eyes of the country was involved. They did not desire to see recruiting for the Army made unnecessarily difficult, for one of the inducements held out to recruits was free medical treatment. The State ought to take care that those whom they had employed were properly and humanely treated when they were in sickness, and there was an obligation, not only on the State, but upon every Member of the House, to take care that those who served it were so treated in times of sickness.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. T. L. Corbett.*)

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington) said the noble Lord began by pleading with him not to treat this as a Party question, and had said truly that it ought not to be a Party question. He agreed that it should not be a Party question, but that it was one which should be determined more upon principles of humanity and economy than upon Party lines. The hon. Member for North Down who preceded the noble Lord began by paying him a compliment, and expressed his surprise that he should have made a blunder in adopting a new policy which was wholly unjustifiable. His modesty did not admit of his accepting the compliment which the hon. Member had paid him of having from high and mistaken motives adopted a new policy, because all that he had done in this matter was that he had been carrying out a line of policy which was carefully sifted by a Committee appointed by his predecessor in office, adopted by him, and acted on by him. He was prepared to defend it. When he succeeded to office he found that a batch of men had been discharged from Netley because medical skill could do no more for them, and they were blocking the way for others who were more necessitous. Two men were left. He was new to office and he kept those men in the hospital. They knew that they were going to be discharged, but he kept them on in the hope of being able to find a benevolent home for them. In September last, those two men were discharged from the hospital. Why was this action taken? An ordinary hospital was managed on the system that it existed for the purpose of curing poor people who could not afford medical assistance. If they were found to be incurable they were discharged, because a hospital was a place which existed for cure and not for the maintenance of those who could not be cured. The effect of retaining those patients who could not be cured was to block out those cases which needed urgent treatment. The same system prevailed in the Admiralty hospitals and it ought to prevail in the War Office hospitals. Unless they took that course difficulty would inevitably arise in making provision for those cases that really called for the efforts of a cure. It was true that there were only between 300 and 400 patients at Netley, and that there were 900 beds. But the point was that, although the space was there, there was no establishment in time of peace to look after the sick. Netley was our great war hospital, and a large amount of space had to be provided to meet the claims of war. But in peace time only such a staff was provided as was needed for the average number of sick. At the present time the number was about 300, but in one week the number might go down to thirty or forty, and in another week the number might rise to 300. The staff, therefore, was calculated on the average number of sick, so that the peace accommodation at Netley was only about 300 or 400 places. The authorities had to exercise the utmost care as to who were taken in and retained. The principle was to take in whoever needed medical treatment and to keep him while such treatment could do him any good; and then they ought to pass him out when the case proved to be incurable, or when the man was healed, in order to make room for those who needed urgent medical treatment. That was the system worked out by the advisory board composed of men like Sir Frederick Treves and other eminent surgeons, and it had been carried on for a considerable time past. It was a system which had been pursued with some laxity when the late Government took the matter up and decided to treat the hospital on the principle he had described. It was asked "Why do you not make provision for the soldier who is poor and incurable?" His answer was to ask another question—"Why should something special be done for the soldier, why should he receive what the great bulk of the poorer classes in this country cannot receive; why do for the soldier what was not done for the sailor and the poorer members of the working classes?" Since the adjournment had been moved he had had the opportunity of consulting with the authorities, and they had given him these figures. Taking a group of military hospitals, if the incurables were not discharged, what would happen? These figures were by way of illustration. Last year the number discharged was 3,687, of whom 700 were suffering from heart disease or tuberculosis. Everyone would like to keep those 700, but how could it be justified, seeing that the taxpayers included large numbers of the poorer classes for whom no such provision was made? If the Government were to accept the principle urged upon them to-night it would mean that, in respect of men suffering from heart disease and tuberculosis alone, 700 would be retained every year. Their average expectation of life might be taken at ten years. Those were cases of persons who were discharged not because their lives were in danger—if they were in danger they were treated—but because they were incurable. Therefore if they assumed the number of cases every year discharged was 700, and the mortality was 10 per cent. on a basis of ten years average the cost would amount to £324,000 a year. If other diseases were included, the cost would be not less than £500,000 a year. Saving money was not in question. He was asked to find £500,000 a year and to provide new buildings for the accommodation of these cases; and all this for the benefit, not of the community at large, or even for the Services, for the sailors had not these advantages, but for a privileged class—the incurables in the military hospitals, because the military hospitals could do them no further good. All that the military authorities could do for them was to give that pension to which they were entitled. The system of the military organisation of this country provided pensions for a certain class. If a soldier were totally incapacitated by wounds he got a pension of from 1s. 6d. to 2s. 6d. a day. If he were sick in consequence of military service, but not totally incapacitated, he received from 6d. to 1s. 6d. a day. But if the sickness were not due to military service, but illness which, so to speak, had come to the soldier in his civilian capacity as it might come to any other member of the community, then the soldier only received a short time pension, like one of the men whose case had been raised by this Motion. Those who could be cured were cured, and those who could not, but who were eligible for Chelsea, received a Chelsea pension or admission to Chelsea Hospital. This was no new arrangement, and to change the system would be to place a heavy addition on the Estimates and the building, both to benefit soldiers in a way that no other class of the community was benefited. It was quite true, as the hon. Member had said, that there were hundreds of vacant beds at Netley, but there were no attendants for them. Netley was now on the peace establishment, and beds without attendants were not beds that were worth much. It was said that these men had suffered for the Empire. They were ill as any civilians might be ill. Neither of the men had seen war service or had been wounded, and, in his opinion, they were entitled to no more consideration than any other poor member of the community.

Mr. J. WARD: What about those whose disease is due to foreign service?

Mr. HALDANE said that such men would be eligible for Chelsea, but the illness of the men in question was not due to foreign service. The late Government very properly discharged all the incurables but two, whom he soft-heartedly had retained. His only reward was to be bombarded in the house with Questions. The provision for wounded men was at Chelsea and not at Netley, which was a hospital for curing the sick. He thought he had answered all the points put to him. He regretted very much that he could not make provision for everybody, but that was a regret that should apply to the community as a whole, and not to any special class. He thought they had done all that they ought to do in this case. He entirely agreed with the policy which had been adopted by the medical authorities, because he felt that if that policy were departed from, it would be the worse for those whom medical aid could cure, and who would thus be debarred from obtaining that aid.

Major SEELY (Liverpool, Abercromby) said that as he knew these two men personally, having been in Netley hospital a good many times during the past two years and having thus become acquainted with them, he might perhaps be permitted to say what he knew of the matter. He would say first of all for the relief of the mind of his right hon. friend that in only one particular was he wrong. He was under the impression that one of these men who had been dismissed had gone to the poor-house at Fermoy. That was where he was destined to go when he was dismissed, but fortunately some friends had intervened, and he was now in a nursing home at Southampton. The fact was that all this was the direct result of the decision of the late Secretary of State for War, and if the House was to censure anyone they ought to censure that right hon. Gentleman as much as the present holder of the office. The right hon. Gentleman would admit that if he were in his place, and therefore whatever blame was to be imputed could not be imputed to his right hon. friend for the policy initiated by his predecessor. Having said that, he did not for one moment agree to the doctrine of his right hon. friend that there was no harm in a system which would say that a man who had been for ten years in one of our military hospitals as an incurable invalid should, by the mere decision of a Board, be sent to the poor-house in Fermoy. He submitted to the House in no Party spirit, as the decision was that of the late Secretary of State, that that was wrong, and that no amount of talking about other members of the community having as much right to consideration as retired soldiers would make it right. If it was right to keep a man for ten years, a hopeless paralytic, it must be wrong with no change whatever in his condition or in the condition of the finances of the responsible persons to send him to a workhouse. It was as though a man had an employee fell and broke his leg, and the leg would not set. It might be alleged that the man fell through his own fault and was partly to blame—he did not admit that in this case, but what was true in the one case might be true in the other, but it was probably not. The employer decided to put that man in one of his lodges and take care of him for ten years. If at the end of that period without any disaster to his finances he were to turn the man out into the street to go into the workhouse no one would be surprised if the inhabitants of the neighbourhood were much tempted to go and break his windows. That was what had happened at Netley Hospital through the order of his right hon. friend's predecessor. It was wrong, and the particular point which his right hon. friend referred to, though hardly mentioning it, made the matter all the more disastrous to those who knew the circumstances of a soldier's life. Had we a right to send men to India at a time of life when they were most liable to suffer owing to the temptations and the dangers of a tropical climate, and then, years later, having taken all the best out of them for the purposes of the State, to throw them back on the labour market, or, as in this case, upon the workhouse? He was glad this Motion had been brought before the House. His right hon. friend had certainly cleared his reputation as a man of extraordinary kindness of heart. He pleaded that before dismissing this matter they should look facts squarely in the face. If they would only make up their minds not to enlist men unless they could treat them properly, there would be no more of these perpetually recurring cases of soldiers, who had served their country faithfully in peace and in war, going to the workhouse. He therefore appealed to the House to weigh carefully the next time it was suggested that the Army might be reduced, and not to meet the argument with the statement that it was unpatriotic.

THE DEPUTY-SPEAKER thought the hon. and gallant Member was rather wide of the question.

MAJOR SEELY said he was endeavouring to show that if the House of Commons was to see that men were properly treated, it was necessary for them to take measures to that end. But he had concluded his remarks, and he only wished to urge that it was better to attend to the necessities of these unfortunate men, even though it might be said in certain cases that they had a share in their own misfortunes, than to have an ever-increasing number of men who were not treated properly.

*SIR SAMUEL SCOTT (Marylebone, W.) said the right hon. Gentleman had stated that when he first came into office he found only two men in the Netley Hospital, and yet in an answer to his noble friend the Member for East Marylebone the other day he had stated that the saving to the country by removing the incurables was no less than £3,000 a year. Did the right hon. Gentleman mean to tell the House that these two men cost the country £1,500 a year each? The right hon. Gentleman in speaking of Netley Hospital had hardly brought forward the point that that hospital was primarily a hospital where incurables were sent when they returned from service abroad, and was equipped for that purpose. He objected strongly to the policy of over-riding the discretion of the principal medical officer of Netley Hospital. He would ask the right hon. Gentleman whether the Government now intended absolutely to forbid the principal medical officer at Netley Hospital to exercise his former discretionary power of keeping a man in hospital if he thought such a course desirable.

MR. HALDANE said they always allowed a certain discretion to the medical officer in individual cases and a certain latitude as to the time, but they did not allow him to retain them in Netley Hospital if they were incurable.

*SIR SAMUEL SCOTT asked whether hon. Members really considered that the principal medical officer at Netley Hospital would have kept those men there during the South African War if he had not thought there was every justification for the course and that it was only justice to keep them there. The right hon. Gentleman might yet reconsider what ought to be done to men who came home from abroad suffering from incurable disease. He would add nothing to what had been said by the hon. and gallant Member for the Abercromby Division. He only disagreed with the hon. and gallant Member in his latter remarks, which were out of order. He hoped that the right hon. Gentleman, having heard the appeal from both sides of the House, would be able to evolve some scheme for dealing with this matter, even if a large sum were required for the purpose.

MR. DELANY (Queen's County, Ossory) agreed with the noble Lord who seconded the Motion that this was not a Party question, but it was a question which particularly concerned Ireland and the ratepayers of that country. He did not at all accept the comparison the right hon. Gentleman had made between the soldier patient and the civilian patient. Did the right hon. Gentleman assume that the State undertook no obligation to a soldier when it took him from the ordinary avocations of life for the profession of arms, to risk his liberty, health, and life? The right hon. Gentleman had shown clearly what obligations the State undertook in regard to a man or a body of men who were called upon to serve their country. He knew a man who had served his country in the Army who would have become the prospective occupier of a pauper's grave in Ireland but for private charity. He mentioned the other day that Irish workhouses were packed with old soldiers, and he called the attention of the Secretary for War to an old Crimean warrior who was now living in Ireland upon 1s. 6d. per week outdoor relief from the Tullamore Guardians, and the reply of the right hon. Gentleman was that there was some difficulty in regard to money. There was always that difficulty. He also said that the State had its obligations to all aged people. That might be so, but the State had a triple obligation in regard to old soldiers for the reason he had already stated. In the Colonies they granted old age pensions.

The DEPUTY SPEAKER said he was afraid that old age pensions could not be discussed under this Motion.

Mr. DELANY said the Secretary for War had never tried to meet this difficulty. Why could he not put an Estimate down for this and challenge the Opposition to support him.

Mr. HALDANE said they already had £2,100,000 on the Estimates as pensions for these very cases.

Mr. BURDETT-COUTTS (Westminster) thought the House would admit he had some right to join the noble Lord (Lord R. Cecil) in his disavowal of Party motives, because the part he took in regard to a cognate Question in the past could certainly not be said to have been taken from Party motives. He could not, however, exonerate the Secretary for War from participation in any Party treatment of this subject, because, whilst he agreed with much he had said about Netley Hospital, it seemed to him that the amazing argument he had used, that this Government and the country and the House of Commons had no greater responsibility to those who had served their country in difficulty and danger than they had to those who had served themselves only, was an appeal to Party feeling such as he had rarely heard introduced into a subject of this kind. When it was left to an hon. Member from Ireland to establish the responsibility of the Government to the man who had served his country, it seemed to him that that hon. Member had a fuller conception of the responsibilities of Imperial citizenship than the right hon. Gentleman opposite. He agreed with the right hon. Gentleman that a hospital should not be turned into a home for incurables. If a hospital was suited to cure disease and deal with surgical cases, it was unsuited to house incurable cases. By "unsuited" he meant that its whole equipment, its nursing and medical staff, were practically wasted on incurables. He could give the House a parallel instance from what happened in South Africa during the war. There, in the unreformed days, the great general hospitals at the base, and many near the front, were crowded with convalescents who needed no medical attendance and nursing, and who occupied beds which were sorely needed for sick and surgical cases. It was only when this point was urged upon the authorities and the suggestion was made from outside, that convalescent camps were established, which were better for the convalescents themselves, and freed the beds for the sick and surgical cases. He mentioned this as a parallel case, because although a convalescent was exactly the opposite to an incurable, yet both bore the same relation to the function of a hospital for the cure of disease and the treatment of surgical cases. Therefore he should be the last to complain of sending incurables away from such a hospital, from the point of view of the hospital itself. But what about the incurables? Where were they going to send them? He had shown that before the authorities could deal with convalescents they had to find places to put them in. How much more necessary was this in the case of incurables? These men had contracted disease whilst serving with the colours. It was not their fault that their disease had become incurable. Where did they draw the line of responsibility? The men whom they treated in the hospital had become sick from the same cause as the others who had become incurable. How could they assume responsibility in the one case and divest themselves of it in the other? Was there either justice or humanity in allowing these men to shift for themselves or hurrying them into the workhouse with paupers when their only fault was that they had worn the King's uniform? ["Oh, oh!"] Well, he was quite ready to withdraw that and substitute for it—the very cause of whose incurable disease was that they had worn the King's uniform. Were they going to leave those men to eke out their lives on charity or leave them permanently in the workhouse? Such a policy would have a fatal effect upon the *morale* of the Army and upon the prospects of recruiting. It was the duty of the Minister to advise the House; and the guidance he had given to the House, if his words had been rightly understood, was that these men who had contracted their diseases in the service of their country were to be left to a pauper's fate; for the country was to do nothing to help them, and the Minister would not face the possible unpopularity with his Party of proposing in the Estimates some substantial relief. With regard to extra beds at Netley Hospital he would venture to make a practical suggestion. Very little medical attendance or nursing was necessary for incurables, and it would be possible so to arrange Netley Hospital that in time of peace the shelter it afforded could be devoted to the comfortable and merciful housing of those incurables, while some system was being worked out for their more permanent charge by the country. If it became widely known that this sort of fate awaited any man who entered the Army and served his country and happened to contract an incurable disease while serving it, the gravest harm would be done to the Army and it would constitute almost an outrage on humanity and patriotism alike.

*MR. MADDISON (Burnley) said the hon. Gentleman who had just sat down had twitted the Minister for War by stating that an hon. Member from Ireland had a more just conception of Imperial duty than himself. He entirely differed from the hon. Gentleman even in regard to that, but what he was concerned about was the statement of the hon. Gentleman that, whereas soldiers served their country, other citizens served themselves. He could not imagine a broader line of demarcation between the two conceptions of civic and military duty than that. The boiler-maker, weaver, or follower of any other "common" trade served his country just as much as any private, non-commissioned officer, or officer in the Army. If there was one proposition made by the Secretary for War more worthy of their support than another, it was his contention that, while making all humane and proper provision for our troops, they had no right beyond this to make distinctions, involving a large amount of money, between the man who happened to be employed in the Army and the man who happened to be employed in a weaving shed or elsewhere. They had heard a good deal about listening to clamour. He was glad the Secretary for War had not listened to the clamour of hon. Members opposite that night when a peremptory demand was made upon him to give a pledge on the spot that no alteration should be made at Netley Hospital until the House of Commons had discussed it. Where would the War Office be if a Minister gave way to such a demand? They read in *The Times* that if the Labour Members made a demand the Ministers gave way at once. Supposing the Labour Members had made this demand. [AN HON. MEMBER: They would have given way.] The first Members of the House to protest against concession to clamour would be hon. Gentlemen opposite, who had tried clamour that night, but were, he thought, going to find it a dismal failure. He was glad that the Leader of the Opposition had consulted the dignity of the House in not being present to support a Motion which had no justification. Where was the right hon. Gentleman the Member for the City? [AN HON. MEMBER: What price Wyndham?] The Minister for War had approached this matter in a most sympathetic spirit. A day or two ago and again to-day he had explained the whole position, and hon. Members opposite were not consulting the dignity of the House when they attempted to get the right hon. Gentleman to give way on the spot in regard to a matter which he had had under his consideration. He maintained that workmen had never refused to be generous to the soldier, and especially to the sick soldier. What amused him was the wonderful concern shown about two soldiers at Netley by the Opposition to-day when he recalled how the hon. Member for Westminster stood surrounded by a number of icebergs uttering his noble plea for hospital accommodation when our soldiers were fighting at the front and were being struck down more by disease than by the bullets of the Boers. Yet a remnant of the Opposition were now endeavouring to make Party capital——[Cries of "No, no."]

LORD R. CECIL: The hon. Member, in the extreme venom of his Party spirit ——[Cries of "Order" and "Withdraw," and interruption.]

*MR. SPEAKER: Order, order! I do not think the noble Lord's expression is permissible.

LORD R. CECIL expressed regret for having been carried away beyond the limits of order; but the speech of the hon. Member was of an extremely provocative character considering the way in which the question had been treated on that side of the House.

*MR. MADDISON said that his criticism might be provocative, but he believed it to be true. Was the House to be asked to sanction the plea that a soldier who had perhaps lived a reckless life in India and had given way to the temptations of the cantonments, thereby contracting disease which made him incapable of further work, should, because he wore the King's uniform, for life be saddled upon the State? As a workman who had lived among his own class, he said that it would be a wrong to the community and that the Government had no right to sanction it. If a young engineer went out to India and contracted a disease through falling a victim to temptations, was any fair and good employer to be called upon to make himself responsible for that man for all his life? No, and he repudiated the doctrine that the State was called upon to assume a wide and indiscriminate obligation of this kind.

*MR. H. H. MARKS (Kent, Thanet) said the debate had shown in a very marked manner what a striking change took place in the aspect and dimensions of a question between the time when it was brought before the House at the question hour, and the time when it became the subject of a Motion for adjournment. In answer to a Question on Tuesday last the Secretary of State for War stated that the retention of men in military hospitals after their discharge from the Army had been brought to the notice of the War Office last year, but that night they had heard from the same authority that the action he took in regard to that matter was action based on the example of his predecessor in office, and was taken in consequence of a decision arrived at by the late Government. It might be that the late Government had concurred in the view that Netley was not to be used for the reception of incurable cases, but there was a wide difference between that position and discharging men from the hospital after they had been admitted, because it was found that their maladies had not been cured. On the same occasion the right hon. Gentleman stated in answer to a Question that the retention of the men would only cause a charge on the Army Votes of about £3,000 a year, but to-night he figured that it would involve a charge of £300,000 a year. On Tuesday the right hon. Gentleman said that, apart from the cost, the retention of these cases absorbed the hospital accommodation which was required for other soldiers. That statement had been withdrawn to-night. [Cries of "No".] Well, it had been modified now in a very material degree, because the right hon. Gentleman had told the House that while there were 900 beds in Netley Hospital there were only between 300 and 400 patients. He admitted that the statement was qualified by the further information that although there were vacant beds there was no staff, and no means to provide a staff for them. For what was staff required? It was required for the medical care and treatment of the sick. But what was the class of men to whom this Motion for adjournment referred? The right hon. Gentleman said on Tuesday last that the men were not in condition of grave sickness; they were only incurable! The man who was only incurable had not so much need of medical attendance. He needed exactly that which the right hon. Gentleman said he could not give him—the shelter of a home. Therefore, the question of the staff did not enter into the matter in any important degree. These men, according to the right hon. Gentleman's own statement, might be retained at Netley by an expenditure of £3,000 a year. Surely, that was not an immense sum to ask the Government, the House, or the country to grant for such a purpose. The right hon. Gentleman had said, "I am already asking for £2,300,000;" but if such a sum as that was asked for, why not add £3,000 to it? That would settle the question immediately before them. The right hon. Gentleman had only been asked to say that he would suspend the discharge of these men from the Hospital till such time as the House of Commons would give authority to expend the sum of £3,000 necessary for their retention, say, until March next. And this he had refused to do. It was not denied that the men discharged would have to seek a refuge in the workhouse. The House did not realise the extent to which old soldiers were going into the workhouse. They were going there at the rate of 1,500 a year. The right hon. Gentleman recently stated that the number of old soldiers in the workhouse was not known at the War Office. He thought that that admission threw a peculiar light on the methods of the War Office. If the War Office had kept in touch with the old soldiers this Motion would have had more sympathetic treatment at their hands. In his statement to the House on Tuesday last, which differed in many important particulars from his statement to-night, the right hon. Gentleman had said he was doing all in his power to find homes for the soldiers discharged from Netley. It would be well if he would state with some definiteness what steps he was taking in that direction. It would relieve the minds of many who deeply deplored the harsh treatment meted out to the poor men on whose behalf the evening's debate had been raised.

MR. WYNDHAM (Dover) said that his justification for asking the indulgence of the House for a few moments was that when he was Under-Secretary for War he was brought into contact with very similar problems to this, problems which were very difficult to solve. He might say that the actual facts of what a young soldier's life was, was then much present in the public mind, and the Government of that day had to resist immense pressure to commit the State to schemes of pensions which would have involved hundreds of thousands if not millions a year. But, though the Government incurred unpopularity for resisting those claims, they did not resist them all; for they recognised that they must depart from the rigour of the bargain, and that there was an obligation on the State to treat old soldiers with consideration. The speech of the hon. Member for Burnley was calculated to inflame the debate and to prevent the House from giving proper consideration to this case. The hon. Member for Burnley saw no distinction between the soldier in the Army and the soldier of industry. Everybody saw that distinction when we were at war in South Africa. Was it not plain that the man who was paid only 7s. a week, who was under rigid discipline, and who was under a seven years contract which might involve him in spending a large part of his youth abroad under dangerous climatic conditions, and in exposing himself in battle to death and mutilation—was it not plain that such a man was in a peculiar case? Mr. Ruskin in his "Roots of Honour," had put the case that when everything was said against a soldier which could be said, in regard to his drink habits, or impurity of life, yet, when the moment came, he was ready to die for his King and country.

*MR. MADDISON said that he drew a distinction between a soldier on duty in war time and in peace.

MR. WYNDHAM said that that distinction was rather a refinement. But the fact was that the soldier entered into a contract which involved all these hardships. Passing that by, however, they had to take the practical view that we needed recruits for our Army. We did not pay them a wage which compensated them for all the accidents which were incidental to their employment, and it was only fair that we should endeavour to make their life as happy as possible while they were in the Army, and show them at least that consideration which we would show to a horse when sick. It was said that his right hon. friend the Leader of the Opposition was not there because he thought that this was a frivolous motion; but that was not the case, the right hon. Gentleman having asked him to express his regret that he was not present. Such cases as these were worthy of occupying the attention of the House for two hours, because they threw new light upon the large and difficult problem of how we were to treat the man who suffered while wearing the King's uniform. The Secretary of State for War had said that they had on the Estimates a considerable sum for Chelsea Hospital, but he also said that all these cases could not be relieved at Chelsea.

Mr. HALDANE said they might also be relieved by what was called a short time pension and in other ways.

Mr. WYNDHAM said they got very hard cases at the War Office, but they were bound by the rules, as it seemed to him, to pay excessive compensation to one man, and they were debarred in the same way from helping a man whom they would wish to help. In his opinion it was more important that the man who was absolutely disabled and who was an old soldier should be relieved than the raw recruit who met with an accident in the riding school within three weeks of enlisting. When an old soldier permanently incapacitated was sent to a workhouse we gave the maximum of advertisement to an event which we did not wish known and did not wish to happen. That man became an object of public spmpathy, but how vain was sympathy bestowed on an old soldier sent to a workhouse. If such cases could be obviated by an expenditure of £300,000 he hoped the Secretary for War would reconsider this decision. Surely we had not said the last word of wisdom and mercy in this matter. There had been a steady advance during the last few years in the treatment of our soldiers; let not that advance be stayed for £300,000. They were all agreed that Netley Hospital should not be a home for incurables, but these men had been there a long time, and something like prescription arose. It was hard in such circumstances to say, "I made a mistake, and now I must correct it." He would not press that point. He made it to meet the charge that the Party in opposition were responsible for this matter. He had said they were responsible for all rules as to pensions relating to men who were incapacitated whilst serving in the Army. They had made advances when in office with regard to men who were subject to exposure in tropical climates. He asked the right hon. Gentleman not to shut the door and say that, while Secretary for War, he would not reconsider this very small category of cases.

Mr. J. WARD said he would like as one who had listened to the whole of this discussion to give expression to the feelings which had been formed in his mind by it. Expressions had been made use of by the mover and seconder of the Motion to which very little attention had been paid by the subsequent speakers, but which he thought ought to be revived. It was suggested that the reason why this Motion was brought forward was that the Government and those behind them had no care for the Empire and particularly for those whose lives had been given in its defence. That was the definite proposition which was made, as *Hansard* would show.

Mr. T. L. CORBETT: I absolutely repudiate that there was any such proposition. I never used such words at all or conveyed any such impression.

Mr. J. WARD said that at any rate that was the impression left upon his mind, and that was followed by a speech from the hon. Member for Westminster, who, starting very carefully, finished up with an almost similar declaration, calling attention to the inhumanity and the breach of humane principles which were involved in the action of right hon. Gentlemen opposite. One would have imagined that the present Secretary of State for War was really the individual who had initiated this particular order.

Mr. BURDETT-COUTTS: I never said that.

Mr. J. WARD said that might be so, but the inference was that the present administration were the guilty parties. There was no object in the Motion if the present administration were not guilty.

[Cries of "No!"] Well, he was ready to take the alternative and to say that this Motion was really a vote of censure on the late administration. [Cries of "No!] Hon. Gentleman on the front Opposition Benches would not take that alternative. But surely they condemned someone. At all events they would condemn the principle of the order. [Cries of "No!"] Well then, he could not understand the object of the Motion for the adjournment. It seemed, after all, that what they had been doing was simply, like a gang of schoolboys, having a game of marbles. He really thought that this was a serious business, and he thought that when questions were put to-day and during the speeches that a great wrong was being done to men who had served their country well. He understood that that was the proposition. [Cries of "Yes."] Well, who initiated it? If the statement of the Secretary of State for War was correct, and nobody on those Benches had attempted to deny it, the recommendation was made by a Departmental Committee during the last administration and acted upon by the late Secretary of State for War. Therefore, if there was any condemnation hon. Gentlemen themselves would have to take it. That seemed to a plain man the natural inference to be drawn from all the statements that had been made. If the statement of the Secretary for War was incorrect, the whole position was changed, but nobody had denied its truth. It was admitted in the very conciliatory speech of the right hon. Member for Dover. The right hon. Gentleman had not had the opportunity of listening to the Secretary of State for War or he would have known at once that he and his friends were responsible for any breach of humane feeling and humane principles. The Opposition Benches were the roost to which the birds came home.

MR. WYNDHAM said the hon. Member was unintentionally misrepresenting the speech he had made. But he thought he had made it in a proper spirit.

MR. J. WARD said he was only a young Member of the House, but he had watched the debates from a more elevated position for many years and he had always understood that a Motion for the adjournment of the House amounted to a censure on the administration for something they had done or for something they had omitted to do. In this case he understood the Secretary of State was wrong for having carried out the policy of his predecessor. In his opinion it scarcely became the members of the Opposition to press that point. He agreed that the soldiers were not fairly treated. But right hon. and hon. Gentleman would discover that those representing the working men in this House who advocated peace on principle, because they thought war was wrong, would be the first to stand up and defend the rights of the soldier. They agreed that the treatment of the soldiers was not right. They agreed that they ought to be treated much better than they were, if it was necessary, as it appeared to be to nations at large, that soldiers should be employed. But it was the late Government who had failed in their duty to treat them well, and if anyone was to stand at the bar it was the men on the Opposition Benches. This discussion had been useful. It had been useful for a purpose which its initiators had not intended. It had shown the House, whatever might be said of the Party opposite or those who sat upon the Labour Benches, that if any cruelty had been perpetrated, it had been perpetrated by the Gentleman who sat on the Opposition Benches.

*MR. CLAUDE HAY (Shoreditch, Hoxton) said the hon. Gentleman who had just sat down had endeavoured to justify the attack he had made on the Motion before the House by defending the Secretary of State for War, and his defence amounted to this, that the right hon. Gentleman was doing that which his predecessor initiated. They had always heard, however, not only from the Press, but from the mouths of Ministers in the House, that right hon. Gentlemen opposite had been placed there to reverse the policy of the late Government. He, at any rate, could claim that in the last Parliament he was not a supporter of many of the schemes of the War Minister in that administration, and his attitude, therefore, was impartial. The House seemed to have lost sight of the history of Netley Hospital. From a Report made upon the institution in 1858, it appeared that, in the view of its founders, it was one of its main objects to shelter soldiers suffering from incurable illness contracted in the service of the Crown. The right hon. Gentleman had said that if they did anything for the cases in respect of which this Motion was made they would be establishing a system which ten years hence would cost the country over £300,000 a year. It was not right, however, that because of their own weakness or by the stress of the work which the nation asked of the soldiers the State should not bear the cost of providing decent and easier conditions for them during their incurable illness, or that they should foist upon some poor parish from which the soldiers came the whole burden which the State ought to bear. Nor would the argument of the right hon. Gentleman be accepted by the country that the soldier had no more right to consideration than a civilian if he suffered from the terrible diseases which were more likely to come to him than to a civilian, or because of long sojourn in India. The right hon. Member for Dover had shattered the miserable arguments of the hon. Member for Burnley, who had tried to compare the soldier to a man who earned wages with a full chance of getting the best possible personal profit out of his earnings. It was absolute nonsense to compare the two cases. He did not suppose the right hon. Gentleman thought this country would be at war for the next year or two, and he had ample time to evolve a scheme, which, without interfering with the necessary arrangements for war time, would obviate the necessity of these men being sent to the workhouse or thrown upon private charity as a recompense for having been soldiers of the Crown. He was satisfied that this debate would arouse a great feeling throughout the country, and would shew those who, on whichever side they sat, were sincere in their desire to make the career of a soldier not only happy and comfortable with the colours, but one which assured him care and relief when an invalid, that they represented the wishes of the great mass of the people.

MR. CAUSTON (Southwark, W.) said he would not like this debate to leave any hon. Member with the idea that the soldier who served his country was altogether neglected and badly treated. From some of the observations addressed to the House one would think that soldiers who had served their country in foreign parts, and who had been wounded, or who had suffered from bad climates in which they had served were left to suffer in neglect. Nothing of the sort. Every soldier who had so suffered was entitled to a pension. Pensions were also granted to those who were disabled in the service but not through service. There were 550 life pensioners in Chelsea Hospital, and these men had either war or long service, or were afflicted with old age. But pensioners must be men of first-rate character, and only that day the Board had admitted an old soldier eighty years of age on a first application. Two millions were paid annually in the way of pensions through Chelsea Hospital. Nobody would desire that those who served their country in whatever capacity should be found in the workhouse as a result of their service. The extra cost to the country, however, of continuing the Netley policy would be nearer £500,000 a year than £3,000.

MR. FORSTER (Kent, Sevenoaks) said that he had acted as one of the Commissioners of Chelsea Hospital, and he was glad on every occasion to pay a high tribute to the efficiency and value of the work done by that institution. The intervention of the right hon. Gentleman who had just spoken had done something to bring the debate back to the level it attained in the speech of the noble Lord who seconded this Motion. The hon. Member for Stoke had endeavoured to make it a Party question, while the Opposition had made it clear that that was the thing that they wished to avoid. The case involved in the present discussion was one with which Chelsea Hospital could not deal. There had been case after case of this kind presented, and although the Commissioners had neither power nor funds to deal with the cases officially they were yet able by individual efforts, by canvassing among friends and philanthropic institutions, to do a great deal in the way of amelioration. But there was something wrong with a system which threw adrift men who suffered from an incurable disease or a shattered constitution, which ground them under the heel of a merciless and pitiless economy. Would not the right hon. Gentleman be well advised to devote some part of the savings to be gained from the reductions in the Army Estimates next year to providing a system by which men who were incurable might find some home other than the workhouse? Was it economy not to deal with these cases? Our military system depended upon voluntary enlistment, and there was nothing that deterred men from enlisting so much as bad and harsh treatment of old soldiers, and very often it was the best old soldiers who were treated the worst. Was it likely that the best men would enlist when they had in the cases under discussion living—perhaps it would be more correct to say dying—examples of the manner in which diseased old soldiers were treated? He hoped the debate which had taken place would have some weight, because after all it rested with the House to alter the system. When the question came up for revision, he hoped something would be done to remove this blot from our system.

MR. WILLIAM REDMOND (Clare, E.) said that one result of this debate would be to warn the young men of Ireland of the treatment they might expect in their old age, if they were foolish enough to enlist. There was a case in the north of Ireland where some men were prosecuted and sent to prison because they had issued and posted certain placards calling upon the young men of Ireland not to join the British Army. There would be no need to go outside the law in future to give warning. All that would be required would be to get a full and true report of this debate, and to circulate it widely throughout the length and breadth of the land. That would undoubtedly show to all whom it might concern the fate that was likely to overtake many of those who in the heyday of their youth unhesitatingly joined the colours and entered the Army—the fate of finding in the end, when their youth and vitality had passed away, and when age and helplessness came upon them, that they were thrown on one side by the State, and left to end their days in the most miserable way in the pauper wards of the workhouse. He was somewhat surprised at the attacks made by speakers on the Opposition side of the House on the Secretary of State for War. One would imagine from those speeches that the right hon. Gentleman was responsible for the system which prevailed, and that what was complained of had taken place since he assumed office. Those who remembered the time when the War Office was presided over by Mr. Brodrick, would remember that the Irish Members brought before him case after case of unfortunate aged and suffering soldiers who were forced into the workhouse in the end of their days. The system which prevailed was a bad system. It was nothing to Irishmen what system was adopted except in so far as it affected their young men, but it was a notorious fact to everybody who had studied the conditions abroad that the treatment meted out to the common soldier in the British Army was exceedingly bad, and, he would say, a disgrace to those concerned. As compared with the treatment given to the common soldiers, the men behind the guns, by the American nation and other countries, there was very little consideration given to them in this country, but there was plenty of consideration given to the general officers, the pets of society. The present Minister for War had inherited the system of his predecessors, and those who had ruled at the War Office for the last twenty years knew that the system was bad. The Secretary of State was not the man to be insensible to the sufferings of any man, but the right hon. Gentleman had said it was a case of money—a matter of some £3,000. The House of Commons did not think of a few thousands when it showered tens of thousands of pounds upon Lord Kitchener and Lord Roberts. [Cries of "Oh!"]. He was endeavouring to put before the House his point of view moderately and without giving offence. Hon. Members who were going to support this Motion for the adjournment professed to be solicitous about the welfare of the poor aged soldiers who were turned out of Netley, and they attacked the present Administration as if the last Administration was not responsible at all; but what did they do or say when it was a question of voting £100,000 to Lord Roberts, and £50,000 to Lord Kitchener? They did not say a single word. He was not saying that, from the last Administration's point of view, the generals were not deserving of reward, but he contended that they had no right to lavish the money of the taxpayers on generals, and leave in existence the system under which these poor soldiers received the treatment now complained of. He remembered that when these large sums were voted to the generals he raised his voice on behalf of the wives and families of the poor Reservists who were in hunger in the towns and villages of Ireland, and he received a pretty good remonstrance from the hon. Member for North Down and his friends, who were then very numerous, and, therefore, could make much more noise than at the present time. He held in his hand the Report of the Viceregal Committee on Poor Law Reform, and he found at page 57 the statement that in the month of January this year there were admitted into the various workhouses of Ireland no less than 1,040 old soldiers. If they were going to get soldiers to fight their battles, let them not, in God's name, flood the workhouses in Ireland, and put this disgraceful burden upon the already over-burdened ratepayers and taxpayers of that unfortunate country. He hoped that this debate would be discussed at every cross-roads in Ireland.

Question put, "That this House do now adjourn."

The House divided:—Ayes, 61; Noes 259. (Division List No. 390.)

AYES.

Acland-Hood, Rt. Hn. Sir Alex F.
Anson, Sir William Reynell
Arkwright, John Stanhope
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Balfour, Rt. Hn. A. J (City Lond.
Banbury, Sir Frederick George
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beaumont, Hn. H. (Eastbourne
Beckett, Hon. Gervase
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Coates, E. Feetham (Lewisham)
Craig, Capt. James (Down, E.)
Cross, Alexander
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gibbs, G. A. (Bristol West)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hervey, F. W. F. (Bury S. Ed'md
Hills, J. W.
Houston, Robert Paterson
Jowett, F. W.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Marks, H. H. (Kent)
Meysey-Thompson, E. C.
Randles, Sir John Scurrah
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone W.)
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Talbot, Rt. Hn. J. G. (Oxf'd Univ
Thomson, W. Mitchell-(Lanark)
Turnour, Viscount
Valentia, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid.)
Wilson, A. Stanley (York, E.R.)
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Mr. T. L. Corbett and Lord Robert Cecil.

NOES.

Abraham, Wm. (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W. C. B. (Hex'm
Beck, A. Cecil
Bellairs, Carlyon
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Berridge, H. T. D.
Bertram, Julius
Bethell, J. H. (Essex, Romford)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Brace, William
Branch, James
Brigg, John.
Brodie, H. C.
Brooke, Stopford
Bryce, Rt. Hn. James (Aberdeen
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burnyeat, W. J. D.
Byles, William Pollard
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Channing, Francis Allston
Clarke, C. Goddard
Clough, William
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W
Corbett, C. H (Sussex, E. Grinst'd
Cory, Clifford John
Cotton, Sir H. J. S.
Cremer, William Randal
Crosfield, A. H.
Crossley, William J.
Dalziel, James Henry
Davies, David (Montgomery, Co
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dobson, Thomas W.
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Frank (Radnor)
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ffrench Peter
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Fuller, John Michael F.
Fullerton, Hugh
Gill, A. H.
Gladstone, Rt. Hn Herbert John
Glendinning, R. G.
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B
Hammond, John
Hardie, J. Keir (Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Holden, E. Hopkinson
Hooper, A. G.
Horniman, Emslie John
Horridge, Thomas Gardner

Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonsh.)
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Leese, Sir Joseph F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Lever, W. H. (Cheshire, Wirral)
Levy, Maurice
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J. M. (Falkirk B'ghs)
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Chas, (Donegal, E.)
M'Crae, George
M'Kean, John
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Nicholls, George
Nicholson, Chas. N. (Doncaster
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal (TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearson, Sir W. D. (Colchester)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Renton, Major Leslie
Richards, T. F. (Wolverh'mpt'n)
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Seaverns, J. H.
Seely, Major J. B.
Shackleton, David James
Shipman, Dr. John G.
Simon, John Allsebrook
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thompson, J. W. H (Somerset E)
Tomkinson, James
Torrance, Sir A. M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Ward, John (Stoke-upon-Trent)
Ward, W. Dudley-Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williamson, A.
Wilson, Henry J. (York, W.R.)
Wilson, W. T. (Westhoughton)
Younger, George

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

LAND TENURE BILL.

Postponed proceeding on Amendment proposed on consideration of the Bill, as amended, resumed.

Question again proposed, "That those words be there inserted in the Bill."

Motion made, and Question, "That the Debate be now adjourned"—(*Mr. Whiteley*)—put, and agreed to.

Debate to be resumed To-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at ten minutes after Eleven o'clock.

HOUSE OF COMMONS.

Friday, 9th November, 1906.

The House met at Twelve of the Clock.

PRIVATE BILL BUSINESS.

Clydebank and District Water and Burgh Extension Order Confirmation Bill. Read the third time, and passed.

PETITIONS.

LAND VALUES TAXATION, ETC. (SCOTLAND) BILL.

Petition from Perth, against; to lie upon the Table.

MOTOR TRAFFIC.

Petition from Driffield, for legislation; to lie upon the Table.

SMALL LANDOWNERS (SCOTLAND) BILL.

Petition from Balquhidder, in favour; to lie upon the Table.

RETURNS, REPORTS, ETC.

WEIGHTS AND MEASURES.

Copy presented, of Report by the Board of Trade on their Proceedings and Business under the Weights and Measures Acts [by Act]; to lie upon the Table, and to be printed. [No. 345.]

INTERMEDIATE EDUCATION (IRELAND.)

Copy presented, of Rules and Programme of Examinations for 1908 [by Act]; to lie upon the Table, and to be printed. [No. 346.]

SUPERANNUATION ACT, 1884.

Copy presented, of Treasury Minute, dated 2nd November 1906, declaring that James Joy, labourer, Royal Gun Factory, War Office, was appointed without a Civil Service Certificate through inadvertence on the part of the head of his Department [by Act]; to lie upon the Table.

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

Women's Suffrage. Return relative thereto [ordered 8th November; *Mr. Alfred King*]; to be printed. [No 347.]

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Publication of Fishery Board Orders in Montgomeryshire.

MR. REES (Mongomery Boroughs): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether any orders of the Fishery Board apply to Montgomery county and district; and, if so, whether any such orders have been published in Welsh and English in the newspapers of Montgomeryshire; and, if the answer to the latter question be in the negative, whether he will arrange for such publication in order that the inhabitants of the county may discover what is the law in this behalf.

(*Answered by Sir Edward Strachey.*) A notice of intention to issue a certificate altering the limits of the Dovey Fishery Board, which applied, *inter alia,* to Montgomeryshire, was recently advertised by the Board in English in certain Welsh newspapers. We shall be glad, however, to arrange in future for the publication of such advertisements in the Welsh language also, in all cases in which there is any reason to believe that it would be useful to do so.

Promotion in the Circulation Office (Post Office)—Officers over Sixty Years of Age.

MR. STEADMAN (Finsbury, Central): To ask the Postmaster-General whether he is aware that several inspectors and other supervisors of the Circulation Office are being retained beyond the age of sixty; and whether, in view of the stagnation of promotion prospects of a number of sorters attached to this office, who are already over forty years of age, with established service of from twenty to thirty years, he will consider the advisability of retiring these supervising officers as soon as possible.

(*Answered by Mr. Sydney Buxton.*) I am aware that several supervising officers

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

in the Circulation Office are being retained in the service beyond the age of sixty. The rule at present is that all pensionable officers, of whatever grade, who are not thoroughly efficient shall be called upon to retire at sixty; but retirement at sixty is not enforced in the case of officers whose conduct is good and who are thoroughly efficient. I should not feel justified in accelerating the retirement of efficient officers solely in order to create vacancies for others.

Innishlyre Harbour Works—Return of Correspondence.

Dr. AMBROSE (Mayo, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he would grant a Return of all the correspondence which has taken place between both the late and present Governments and the Midland Great Western Railway Company of Ireland on the question of harbour works at Innishlyre, county Mayo, and railway communication therewith; and also all the correspondence on the same subject which has passed between the Under-Secretary for Ireland and the Mayo County Council.

(*Answered by Mr. Bryce.*) It would not be usual or desirable to furnish a Return of correspondence such as that to which the hon. Member refers. The subject mentioned in the Question is, moreover, still under the consideration of the Government. My reply to the Question must therefore be in the negative.

ADJOURNMENT.

Resolved, That this House, at its rising this day, do adjourn till Monday next.—(*Mr. Attorney-General.*)

CORRECTION OF DIVISION LIST.

Mr. YOUNGER (Ayr Burghs) said he observed that in the Division List issued this morning he was entered as having voted in both lobbies on the question of Adjournment. He had voted only in the Aye lobby, and he would ask that the alteration might be made in the list.

*Mr. SPEAKER said if the hon. Member would mention it in the Public Bill Office the correction would be made.

TRADE DISPUTES BILL.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. FELL (Great Yarmouth) said he understood if he moved the Motion standing in his name, "that the Bill be re-committed in respect of Clause 2," it would prevent the hon. Member for East Marylebone moving his Motion. Under the circumstances he would not move.

Sir GILBERT PARKER (Gravesend) said that for the same reason as that given by his hon. friend he would not move that the Bill be re-committed in respect of Clause 3.

Lord R. CECIL (Marylebone, E.) moved that the Bill be re-committed in respect of Clause 5. This clause was one of the most important in the Bill and also one which, owing to the course of the debate, had received the least discussion. The part of the clause to which he wished to draw attention was not in the Bill as originally printed, or when it was discussed in Committee. It was an Amendment introduced on the Motion of the Attorney-General during Report, and was not reached until a late hour in the evening, and in point of fact, was not discussed at all. Therefore, he did not think his Motion was an unreasonable one. The clause in question contained the definition of "trade dispute," which expression occurred in all the operative clauses of the measure, and the meaning to be attached to the expression was of enormous importance when they were construing the Bill and endeavouring to ascertain exactly what it did. For instance, Clause 1 was an Amendment of the law of conspiracy, providing that an act done in pursuance of an agreement or combination of persons should not be illegal if when done by one person it was not illegal. That was to say, the mere question of combination was not to turn a legal act into an illegal one. An instance of the enormous change that that would make in the law was in respect of what was known as exclusive dealing. It was quite true that an ordinary shopkeeper was not bound to sell to any customer, but if all the shopkeepers in the Kingdom combined to deprive any individual of the goods which they sold it was quite plain that a very serious state of things arose, and if the combination were complete enough the obnoxious individual might run a serious risk of starvation, or, at any rate, very great hardship. The only limitation on the important change in the law made by Clause 1 was that it must be done in furtherance of a trade dispute. The definition of a trade dispute was a very wide one. Definitions in modern legislation were often designed—and accomplished that design—of giving to a word a meaning which in the English language no human being would give to it. He thought the definition in Clause 5, although perhaps unintentionally, belonged to that class, because it said, among other things, that the expression "trade dispute" should mean any dispute connected with the employment or non-employment of any person. Therefore the Bill laid it down that whenever they had a dispute of any kind which concerned the employment or non-employment of any person, that was a trade dispute and the provisions of the Bill applied to it. At the most the dispute must have in some way or other an industrial character, and it must be a dispute which concerned the employment or non-employment of some person. Any dispute which had in some way or another an industrial character, and concerned the employment or non-employment of any person, would come within the definition of a trade dispute in this Bill. He instanced the exceedingly common case of a dispute arising because an employer desired to employ a man who was not a member of a trade union, and the other employees adopted some method in order to enforce their view. They would be entitled to use powers under Clause 1 to bring pressure to bear upon the employer to dismiss from his employment the man to whom objection was taken. Let them conceive the existence of something in the nature of an agricultural trade union. If a dispute arose because the landlord desired to employ some labourers who were not members of the union, it was plain that such a dispute would be a trade dispute within the definition of this clause, and the Bill would be applicable to it. A very large number of disputes that had arisen in Ireland were trade disputes in that sense. An exceedingly common type of dispute in Ireland had been that of a landlord desiring to employ emergency men because unable to obtain men who were members of the Land League. That had been the immediate cause of the system known as boycotting. Boycotting in its initiation was precisely such a conspiracy as would be made lawful by the first clause of this Bill. He quite agreed that, if developed, boycotting became a much more serious matter, but in its earlier stages it was often put forward, and correctly in many cases, as exclusive dealing. The hon. and learned Member for Waterford the other night made a speech of great warmth in answer to a speech delivered by his hon. and learned friend the Member for Cambridge University in regard to the past and present condition of Ireland as a result of boycotting.† The description was hotly denied by the hon. and learned Member for Waterford and was denied with even greater vehemence by other hon. Members from Ireland. He was one of the last persons to complain of vehemence. If a man thought strongly he had a right, within the rules of the House, to speak strongly; but he did say that he was altogether at issue with them upon the facts of the case. He considered that the statement of the hon. and learned Member for Cambridge University was correct in every respect. Every statement he made was amply borne out by recent history. If that were so, even hon. Members opposite would agree with him that it was a very serious matter, and that earnest consideration should be given before passing this Bill in the shape in which it now stood. If it was really true that trade disputes would include all the disputes that had arisen in connection with the employment of emergency men, for instance, then he did not see that it could be denied that Clause 1 would legalise boycotting and facilitate all the consequences of which boycotting was the precursor. The statement made by his hon. friend as to what had taken place in Ireland had been established in numerous legal proceedings in the Courts of Ireland, but it did not entirely rest on those proceedings. It had been established before the Parnell Commission.

---

† See (4) *Debates*, clxiii., 1393, *et seq.*

*MR. SPEAKER: I fail to see how this inquiry into the history of Ireland in the past can be relevant to this matter.

LORD R. CECIL said he was anxious to show that it was a very serious matter that this Bill should apply to such disputes as he had alluded to, and he could only show that by controverting the hon. and learned Member for Waterford who said with such vehemence that there was no truth in the statement of his hon. and learned friend the Member for Cambridge University.

*MR. SPEAKER: It seems to me to be perfectly relevant to say that these things might happen, but to proceed to show that these things did happen seems to me to be irrelevant, and would lead the House into a discussion of past history which would be quite irrelevant.

LORD R. CECIL said he bowed of course to the decision of the Chair. He would endeavour to put the matter as it might happen now rather than as it had happened in the past. He would not refer to the Parnell Commission, as that he understood would be irrelevant, but he might say that if anyone desired to ascertain what might happen in the future in Ireland, the only true criterion was what had happened in the past. He did not wish to transgress in any way the ruling of the Speaker, and he did not think he would be doing so if he ventured to read to the House a description of what boycotting might be, and of what boycotting should be, given by an extremely high authority on the subject.

MR. SPEAKER said he could not agree with the noble Lord. He was attempting to revive ancient controversies which everybody was anxious to forget. If the noble Lord assumed for the sake of his argument that boycotting was the worst thing that he could imagine, and then proceeded to show that it was legal or to be legalised by the Bill as it stood, that part of his argument would be relevant, but to go back and harrow up the feelings of the House by these old stories was surely irrelevant.

LORD R. CECIL said he was put in a great difficulty. They had had the most positive statements that the whole of this fear was a figment of their imagination. It was said that such a thing could not occur and never had occurred, and by the Rules of the House he was precluded from showing that that denial was founded upon an entire misapprehension. He could only ask the House to assume that that denial was mistaken and that boycotting was a cruel and wicked form of intimidation and pressure exercised upon those who were unpopular by the dominant party in Ireland. He must ask the House to assume that the policy of boycotting was outrage and murder, and assuming that was true—he must ask the House to assume it, although he could prove it if he were in order—assuming that to be true he had to show to the House that that was the kind of thing which would be legalised by the first clause of this Bill as interpreted by the fifth clause. For the purposes of his argument he must ask the House to assume all that he had said. ["Oh."] He could not prove it then, but he could do so if he were allowed. He was not afraid of facts.

MR. WILLIAM REDMOND (Clare, E.): I am not either.

LORD R. CECIL said that if he was not able to go into that part of the argument he must ask the House to assume for the purpose of his argument that he could establish it. He had already pointed out how Clause 5 would apply to the employment of men who were unpopular and not members of the National League in Ireland. How could it be argued for a moment that a trade dispute would not include such cases as that? What was to prevent the National League calling themselves to-morrow the National Agricultural Union and bringing themselves within the four corners of the Bill? It would be precisely the same organisation. Then they would have the case of a farm occupied by a man from England or Scotland who was not a member of the National

Agricultural Association, and the local branch would pass a resolution calling upon the landlord to dismiss that man from his employment and condemning him if he did not. That would be precisely analogous to the employment of a black-leg in England, and this legislation having been passed there would be then in being a dispute as to the employment or non-employment of a person and a dispute about an industrial concern, a dispute about the greatest industry in this country, the agricultural industry, and a trade dispute in the sense in which it was defined and used in this Bill. They could not compel a person to sell a loaf of bread to another, or to allow his children to associate with another man's children, but if questions of this sort were dealt with by association it formed a conspiracy and the most wicked form of oppression that one could imagine, but it came within the definition of Clause 1. Did the House wish or intend to legalise a system of that kind ? Hon. Members knew what had happened in the past. What possible guarantee had they that this clause would not lead to similar disasters in the future? He appealed to the Government and to those Members of it who had been credited with impartiality on this particular question to put into the Bill some definition such as that which stood in his name to guard against the extension of the principle. Words of that kind would not affect hon. Gentlemen below the gangway, and would not cut down the force of the Bill in the least, as far as an ordinary genuine trade dispute, as we understood it, was concerned, but it would be an outrage if this House, under the pretence of granting liberty to trade unions, were to grant a charter of lawlessness to the excitable peasantry in Ireland.

MR. CHARLES CRAIG (Antrim, S.) seconded, and said what he and his friends wanted to know was whether or not the Bill before the House applied to agrarian disputes. Supposing that it did apply to such disputes, the second question was whether it was the desire of the House that it should so apply. With reference to the first point he could only say that he had read the Bill very carefully and could not see anything in it which would prevent its applying to such disputes. He believed the Bill had received consideration of a large number of eminent lawyers in that House, many of whom believed that it would apply to disputes of an agrarian character. He therefore thought it was quite a proper point to raise. A more important point, however, was whether it was the intention of the Government that the Bill should apply to these disputes. The Attorney-General the other day had said that the Bill did not apply to agrarian disputes in Ireland, but he thought that that hon. and learned Gentleman on further consideration would see that as it stood the measure would so apply. The request that the noble Lord had made was that words should be inserted in the Bill to make it certain that it would not apply. That was surely a reasonable request and one which would carry out the desire of the House. While the Bill was being discussed in Committee it was never intended or foreseen by Labour Members, whose Bill it was, that it should apply to agrarian disputes such as had been experienced in Ireland. He was still more certain that hon. Members on the Government side, looking at the measure from the point of view of a Trade Disputes Bill, never thought for one moment that it would, and never intended that it should apply to agrarian disputes either in Ireland or elsewhere. That being so, he submitted that the present was not the time suddenly to change the entire character and intention of the Bill. If it had been intended that agrarian disputes in Ireland should be included in the operation of the measure, a full discussion should have been had on that most important point in Committee and on the Report stage. Suddenly to enlarge the scope of the Bill on the Third Reading would be a travesty of justice and a violation of Parliamentary traditions. The House would agree that the question of trade disputes as applied to agriculture was far too complicated and important a matter to be legitimately and properly dealt with in the present Bill. It was likely to create questions which were quite as important as those definitely dealt with in the Bill. If he and his friends could get a declaration from the Attorney-General that he would accede to their request and put something into the Bill which would prevent its applying to this particular form of dispute in Ireland they would be satisfied and the discussion on that point would come to an end. He hoped the Attorney-General would take an early opportunity in the debate of making that statement. The hon. and learned Gentleman had stated that he considered the Bill would not apply to these disputes. It was the duty of himself and his friends to convince the House, and especially hon. Members on the Ministerial side, that as the measure stood the Attorney-General was mistaken. He had one case before him which he thought would show exactly the class of case to which the Bill might be construed as applying. It was with regard to the proceedings at a branch meeting of the United Irish League held in the West of Ireland on July 22nd last. A local newspaper contained a report, which stated that a long discussion took place over planters—that was, persons whom they were pleased to call "grabbers"— and people in the country associated with them, and it was unanimously resolved—

> "That any shopkeeper supplying goods to, or any tradesman working for, or any person assisting such obnoxious persons as planters, grabbers, or expelled members of the League be summoned before the branch for an explanation of their conduct."

What followed was the important point—

> "The branch established a vigilance committee to watch those persons when they came into town and the houses they frequented, and it is proposed to put this resolution stringently into force."

That appeared in the *Connaught Champion*, a Nationalist paper in the West of Ireland. That was a case to which the Bill would exactly apply if it became law in its present form. It was a case of a proceeding which at first sight appeared to be the same as took place in ordinary trade disputes. There was no difference in the proceeding—pressure upon an offending party, watching his house, and what in this country, but not in Ireland, would be called "peaceful persuasion" not to repeat the offence. The radical difference between the two cases was not in the procedure but in the cause of the dispute. The cause of the dispute in question was transgressing the rules and regulations of the United Irish League. It was quite easy to give a suppositious case. The instance which he had cited on a former occasion was that of a bootmaker who had made himself obnoxious to the United Irish League for some cause or other There were thousands of ways in which a man could make himself obnoxious to the League. A man applied for work to a bootmaker in a town in Ireland, and the bootmaker was informed that he must not have anything to do with him. That was the case of a person who was refused work on account of the pressure of the United Irish League being brought to bear. A man might have made himself obnoxious by calling a certain branch of the League a set of fools, or he might have offended the League in a large variety of ways. It was quite clear to members of the House who read the Irish newspapers dealing with these questions that the ways were numberless by which persons might get into the black books of the United Irish League, and having got into that position they were pursued by the League with relentless cruelty. The case which he had given as an example of the methods pursued by the League would come within the four corners of this Act. He held that some words should be introduced declaring that the Act would not apply to such a case. He could not help referring again to the remarks of the hon. and learned Member for Waterford with reference to the recent speech of the hon. Member for Cambridge University.† The hon. Member for Cambridge University drew a picture of the state of affairs——

*Mr. SPEAKER: I have already pointed out to the noble Lord who spoke before the hon. Member that the re-discussion of this matter is not relevant.

Mr. CHARLES CRAIG said that one of the points which he had endeavoured to impress upon the House was the extraordinary danger of allowing this Act to apply to Ireland. He had tried to convince the House that that would be dangerous and inequitable. In arguing that the Act should not apply to Ireland he was endeavouring to show that the class of cases which were now illegal, would, if the Bill were passed as it now stood, be included within its scope. He should be allowed to show the true state of affairs. It was only by showing the truth of the allegations made by the hon. Member for Cambridge University——

---

† See (4) *Debates*, clxiii., 1393 *et seq.*

*MR. SPEAKER: It appears to me that the truth or falsehood of these allegations is utterly irrelevant. The hon. Member is endeavouring to show that certain things happened five and twenty years ago. Whether certain things did or did not happen seems to me to be wholly irrelevant. In my judgment I do not think the hon. Member has any right to attempt to raise under this Bill an Irish debate of the character we had a good many years ago.

MR. CHARLES CRAIG said he, of course, bowed to the ruling of the Chair. He had no desire to raise a debate of the nature indicated further than was necessary to impress on hon. Members opposite that the class of disputes to which he referred should be excluded from the purview of the Bill. He had no intention of raising an Irish debate. One of his chief objects was to show that cases of boycotting in their inception might appear perfectly harmless, but that they grew and gathered strength and bitterness, that they often ended in the most horrible outrages, and that, as the hon. Member for Cambridge University had pointed out, they frequently ended in the most horrible of all offences.

*MR. SPEAKER: I shall have to ask the hon. Member to resume his seat if he does not abide by the ruling I have laid down two or three times.

MR. CHARLES CRAIG said he had every desire to abide by the ruling. He was endeavouring to show that the action of the United Irish League in this case closely resembled the action taken by a trade union in the case of a trade dispute in England. He and his friends submitted that if the persons against whom was brought a charge relating to such conduct as he had described, pleaded in a Court of law that they were acting within their rights under this Act, there was a strong probability, and in any case a possibility, that those who administered the law would take the view that it did come within the description of a trade dispute as defined by Clause 5. He would bring his remarks to a close, as a great part of what he had intended to say had been ruled out of order by the Speaker.

MR. PAUL (Northampton), rising to a point of order, asked Mr. Speaker whether he had not ruled that the Bill could not apply to any agricultural combination, either in Ireland or in any other part of the United Kingdom.

MR. CHARLES CRAIG, also rising on a point of order, asked if the question whether or not an Act would apply to a certain thing was one, not for the Speaker, but for the Judges of the land.

*MR. SPEAKER: The last observation is quite correct. It is really not my business to interpret what this Bill when it passes into law will do. I am not in the position of a Judge, and I am not called upon to interpret it, but certainly when this Bill was last before the House the Amendment proposed by the noble Lord was out of order. The Amendment which the noble Lord now proposes is of a rather different character from that which he submitted on a former occasion, and therefore I have permitted the Motion to be made.

MR. CHARLES CRAIG expressed the hope that the Attorney-General would give an assurance that the Bill would not be allowed to apply to a class of cases to which, he submitted, it was never intended to apply.

Amendment proposed—

"To leave out all the words after 'be' and to insert the words 'recommitted in respect of Clause 5.'"—(*Lord R. Cecil.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. T. P. O'CONNOR (Liverpool, Scotland) said that the Motion and the speeches to which they had just listened were certainly provocative to Nationalist Members, but they had no intention whatever of being influenced by that provocation, [OPPOSITION ironical laughter] and not even the unmannerly interruptions of hon. Members above the gangway would make him depart from that resolution. The House was now engaged in discussing in its last stages, so far as this House was concerned, what a vast majority of the Members thought was a great and necessary Act of protection and emancipation to the toiling masses of this country; and they would not be entrapped by any form of provocation from the enemies of the emancipation and protection of the working classes into discussions which might delay the passing of the Bill. He would not have spoken at all that day, nor would the hon. Member for Waterford on a previous occasion, if the initiative had been left to them. The speech of his hon. friend to which the noble Lord had alluded more than once, was in answer to a challenge and an attack. What would the noble Lord have thought, if in the discussion of a Trade Union Bill, anybody had endeavoured to drag from the dead and gone past some of the disasters and crimes associated with labour disputes in this country? The noble Lord was as much entitled to raise this question in regard to Ireland as he would have been to raise the question of the crimes of Broadhead and others in Sheffield and elsewhere in connection with trade disputes in England; but if good sense and good manners would prevent such an act in regard to England, why should references only calculated to engender party bitterness, be made to the sad past in Ireland? The pretence had been made that the Attorney-General had not been sufficiently explicit in regard to the point now under discussion; but in language as clear and distinct as he could use the hon. and learned Gentleman had over and over again declared that this Bill did not apply to the kind of disputes in Ireland to which the noble Lord had referred. His (Mr. O'Connor's) complaint was not that the Bill applied to those disputes in Ireland, but that it did not.

LORD R. CECIL: Hear, hear.

Mr. T. P. O'Connor.

MR. T. P. O'CONNOR said the noble Lord cheered that observation, but he could not have it both ways. The noble Lord could not by implication denounce him for wishing that those disputes in Ireland had been included in the Bill, and at the same time denounce the Bill for failing to provide against their inclusion. He thought he had as much logic as the noble Lord, and that the noble Lord would see the particularly foolish position he was in. The noble Lord had attempted to quote from a speech made by the hon. Member for Kildare, and if Mr. Speaker had not ruled that that quotation was out of order he might have had the opportunity of quoting to the House from a speech delivered by the noble Lord's distinguished father at Newport at a time when the relations between his Party and the Irish National Party were not quite so strained as they were now. A good many ignorant people in the country reading the speech of the noble Lord would be inclined to think that his case was against Ireland and not against this Bill, and that it might be justified by the state of affairs in Ireland at the present time. He had before him an article which appeared the other day in the *Saturday Review*, which showed that the statistics of crime in Ireland were really remarkable; they proved that the police could scarcely discover any criminal, and that the prisons were almost empty. It was stated that—

> "Roughly speaking, the convicted criminals in Ireland were in proportion only about twelve to every thirteen in England, and of three to every five in Scotland. The British Parliamentary Estimates for 1905 were drawn up on the basis of there being 120 more prisoners per day in Scottish prisons than in those of Ireland."

Yet England and Scotland were often referred to, and he imagined with justice, as the most law-abiding nations in Europe, and yet at a moment when Ireland was a pattern to the world in the matter of crimelessness the noble Lord brought an indictment against the character of the Irish people. He understood and appreciated the object of the noble Lord. It was on a par with the proceedings of the previous night. It was part of a policy to stand in the way of a majority of this House carrying out the work it had been elected to do. He would not help the noble Lord; and he held that it was deplorable and detestable that at a moment when the people of England and Ireland were approaching a settlement of their long and lamentable struggle, men like the noble Lord should devote their great talents to thwarting the happy consummation.

*MR. CLAVELL SALTER (Hants, Basingstoke) said that he did not want to use words of a provocative character. He had taken an interest in this particular Amendment, because, to his mind, it was a matter of real importance, affecting the definition of trade disputes in this Bill. He happened to have been the first Member who, in the course of the debates, had called attention to the fact that there was in the Bill as originally drafted no definition of trade disputes; and he thought that the debates which had already taken place showed that that omission was a very serious matter. He wished that he could avoid all reference to Ireland in the few words he wished to address to the House. Ireland was not the only place where agrarian disputes took place; and if this definition of trade disputes stood in the Bill as the Attorney-General had left it, Ireland would not be the only place where this Bill, when it became an Act, would be invoked in regard to agrarian disputes, a result which he was sure the majority of the House would think highly undesirable. The hon. Member for North Kildare was the only Irish Member who took part in the discussion on the First Reading of the Bill on 28th March last, and a considerable part of his speech was devoted to the question whether this Bill could not reasonably be extended so as to cover a certain kind of combinations and disputes that prevailed in the county he represented. The hon. Gentleman contended that this alteration in the law should extend generally to the law of conspiracy—

> "He trusted that at all events the title of the Bill would enable them to move an Amendment that would extend the law of conspiracy generally, because although it had been laid down by many speakers in the debate that the law of conspiracy should be so altered as to apply only to trade unions, there were cases of great hardship in Ireland where, if the law was not generally extended, the present state of things would continue. At present it was quite legal for a man in Ireland to decline to pay his rent to his landlord if he regarded it as an exorbitant rent, but if, say after Mass on Sunday, he should meet his neighbours outside the church, and if they should hold a meeting and pass a resolution that instead of this one man declining to pay his unjust rent to the landlord they should all decline to pay such rent, they at once came within the scope of the general law of conspiracy. Quite recently there had been prosecutions, and men had been sent to prison because they decided to do collectively what one man could do without any punishment whatever. Would not the Attorney-General take this opportunity of so framing the clause with regard to conspiracy as to comprehend within its scope the kind of case he had mentioned? Surely a body of men who were federated together with a view to bring about a better state of things were as much entitled to protection as the trade unionists themselves." †

What to his mind was significant about that passage was that his hon. and learned friend had not in fact found it necessary to move the Amendment therein suggested.

MR. JOHN REDMOND (Waterford) said the reason suggested by the hon. Member was not the correct one. He himself had communicated with the Government and used all his influence to induce them to extend the measure in the direction indicated, but he had failed altogether. The Nationalist Party did not move the Amendment, not because they thought it was unnecesssary, but because they felt that they could not carry it, and they did not desire to assist those who were bent on wrecking the Bill.

*MR. CLAVELL SALTER said he was obliged to the hon. Gentleman for his observation; but his view was that the definition since formulated and included in the Bill was so wide that hon. Members from Ireland might think that their object had been accomplished. In dealing with the Amendment of the noble Lord he asked the House to notice how exceedingly narrow it was in its terms. There was, first of all, an Amendment moved by the hon. Member for Cambridge University that this Bill should not apply to Ireland. Then the matter took a somewhat more restricted form in the Amendment of the noble Lord which was ruled out of order. He called the attention of the House to the fact that the Amendment which had been permitted was an Amendment in exceedingly restricted terms, and applied not to agrarian disputes generally, but to one particular kind of agrarian disputes about employment. The only question which the House had to determine was whether hon. Members desired the immunities and privileges of this Bill to extend to the particular kind of dispute which the noble Lord had in mind. That kind of dispute came under the definition of "trade dispute" as it stood in the Bill. What was the case they had to deal with? It was a case where there was a dispute about land in which the owner of the land, being unable to let it, was attempting to work it by labourers directly employed by himself. The owner of the land had no dispute with those labourers in the ordinary sense, either about wages, hours of labour, or the efficiency of the implements supplied to them. If the people generally in the district objected to the employment of those imported labourers and had a quarrel and dispute with the owner of the land because he was seeking to work his land himself, they might desire to bring pressure to bear upon him in that agrarian dispute. In spite of what had been said to the contrary, he ventured to assert that that was a trade dispute connected with "the employment of persons." It certainly did not come under the other portion of the definition: it was not a dispute connected with the terms of employment or with the conditions of labour. But clearly it was a dispute connected with the employment of persons. The owner of the land said he would employ those men, and the neighbours said he should not. If the definition stood as it was left by the Attorney-General his contention was that this particular case came within the definition of a trade dispute. The point was whether the Bill was desired by the House to apply to such a case. He regarded the Amendment as a test of the sincerity of hon. Members opposite, who had declared that their desire was simply to secure the right of trade combination, that they had no other desire than that, and that they did not wish to enter into the domain of agrarian disputes. He was aware they had been told that the Attorney-General said this Bill would not affect agrarian disputes. He did not believe that statement, but even if the Attorney-General had said it, it was not a matter of what the Attorney-General said, but a question of the plain reading of the Act. He did not think the Attorney-General would say that the case which was the subject matter of this Amendment did not fall within the definition of a trade dispute as at present laid down in the Bill. If hon. Members opposite were sincere in their desire to restrict the operation of the Bill to trade disputes they should not seek to extend it to a dispute which, though technically a trade dispute, was essentially agrarian in character.

---

† See (4) *Debates*, cliv., 1349, 1350.

*Mr. NICHOLLS (Northamptonshire, N.) said that after listening to the speech of the hon. and learned Member opposite he began to see what was intended by this Amendment. He had in mind some of those difficulties. Let them suppose for a moment that a landlord had a dispute with some of his tenants, it might be on politics, or on religion, or any other thing, and he wanted to get rid of them; they might be large or small holders of land, and there might be as many as 600 or 700 small holders or allotment holders in one district. If there was a dispute amongst them, and the landlord, desiring to clear them out, gave them notice, saying "I am going to farm this land myself; no more small holders for me," did hon. Gentlemen opposite intend in those cases that no organisation should be able to come along to assist those small holders or allotment holders? Did he understand that the Agricultural Labourers and the Small Holders Union, with which he had something to do, would not be allowed to have something to say? He understood that where they had a trade union they might have a trade dispute, whether it was in an industrial centre or in an agricultural district. In the case he had instanced was he to understand that he could not arrange with his union and through the union to prevent blacklegs going down to that district and working on the farm for that landlord who meant to get rid of those men as soon as he could? Of course the means by which those men could be got rid of was that the landlord should be able to import men not interested in the dispute or belonging to the trade combination at all, but simply interested in having a jolly good time of it for a few days. What he was anxious about was that, whether it was a farm or a factory that was affected, they should have a free hand, so that whenever there was a difficulty the workmen should feel quite free to use their organisation. If he read this Bill rightly, it appeared to him that if this Amendment were passed the Agricultural Labourers and Small Holders Union would be practically done for. Considering that there were 1,500,000 agricultural labourers, he claimed that they should have as much freedom as the industrial workers; they ought to be able to come down in any constituency where the landlord did not mean to allow the men to have a free hand, and say, "You have had your way long enough, and we are now going to help these men who have as much right to be here as you have." He hoped hon. Members would look twice before making a rule of this kind. The eyes of the agricultural labourer were upon them, and if they were going to give to the industrial workers more than they were prepared to give to these men in the villages and small towns, who had struggled and suffered so much in the past, he thought the Government would surprise those who worked so hard for them at the last election. He knew something about the agricultural labourers and their sufferings, and what they had gone through this year had led them to be far more keen on this question of organisation than they had ever been before. A labourer said to him the other day—

> "We had at one time to face in the history of this country the war lords; then came the landlords, then the capitalist lords, and in many districts the sporting lords, and we cannot hold our own until we organise as a solid body."

All he wished was that they should give the agricultural labourers the same freedom as they gave to the workers in the industrial centres.

MR. BARRIE (Londonderry, N.) said they ought to make it quite clear in this Bill that they were not by a side wind legalising boycotting. He was glad to see the issue before the House had been limited. They had the assurance of the Attorney-General that there was no desire or intention to legalise boycotting. He believed that the hon. and learned Gentleman was sincere in making that statement, but against that opinion they had the declaration of two hon. and learned Members sitting on the Opposition side that this measure might be held to legalise boycotting. He submitted that in view of this diversity of opinion among the legal Members of the House, the Attorney-General ought not to hesitate about inserting a few words which would remove all doubt upon the question. He was glad the Amendment of his noble friend had given an opportunity to Leaders of the Nationalist Party to let in some light upon their relations with the Government, and he was pleased to know from the remarks of the hon. and learned Member for Waterford and of the hon. Member for the Scotland Division of Liverpool, that they had been unsuccessful in their endeavour to persuade the Government to go as far as they wished in this matter. He would not reply to the vigorous speech of the hon. Member for the Scotland Division, to whom he always listened with genuine pleasure, and whom he welcomed back to the House from the field of his labours on behalf of the League, of which he was a conspicuous Member, in circumstances that made his exuberance excusable.

THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.) said that the assurances which he had given on this subject had been somewhat vaguely construed, therefore he would at once say what he wanted to convey when he said that the Bill was not intended to affect the operations of the United Irish League. The Bill was a Bill relating to trade unions, while the Land League of Ireland, which was a league of tenants engaged largely, but not necessarily, in agriculture, related to the terms of tenure of land. The operations of the League, therefore, in no sense came within the definition of trade disputes in the Act of 1875 to which this legislation was directed.

MR. CHARLES CRAIG said members of the League were drawn from all occupations, some having nothing to do with land tenure.

SIR JOHN WALTON said the scope of the operations of the United Irish League was clearly not the scope of the operations of trade unions within the conception of this legislation, and no attempt had been made since 1875 to include such operations within the definition of the Act of that date. A trade union was defined as a combination, whether temporary or permanent, regulating the relations between workmen and masters, between workmen and workmen, or between masters and masters, or for imposing conditions on the conduct of any trade or business. That definition had never been sought to be applied to the various agrarian combinations that had been formed in Ireland in the past, and he did not think there need be any anticipation that any attempt would now be made. The Bill left the definition of a trade union entirely unaffected. The words in the Bill would not apply to the various combinations having for their object the amelioration of the system of land tenure in Ireland, and could not, therefore, have such results as the noble Lord contemplated. Another definition that became important was the definition of a "trade dispute," because that definition was very inclusive. The definition he had framed made it clear that a trade dispute must be a dispute in regard to the conditions of labour within the definition. The noble Lord had pointed out that it was possible that a dispute in Ireland—which he had called agrarian, but which should be called agricultural—as to conditions in the employment of agricultural labourers might be a trade dispute within the scope of the definition. This was accepted. A dispute in England, Scotland, and Ireland in regard to the terms and conditions of agricultural employment would be a trade dispute. It was the intention of the Government that it should have that character. Was it seriously to be argued that the whole of the agricultural labourers of England and Ireland should be excluded from the provisions of the Bill, as they would be under the Amendment? The noble Lord had framed his Amendment without distinct reference to Ireland, and therefore the whole of his boycotting argument was foreign to the terms of his Amendment, which applied to the whole of the United Kingdom. The speech of the hon. Member for Northamptonshire disposed of the Amendment, because, as he had pointed out, if it were accepted the whole of the agricultural labourers of this country would have their hands tied and the Union of Agricultural Labourers would be exposed to all the harassing enactments of the common law if its members took any step to ameliorate the condition of labourers. The law of conspiracy was re-framed by the Bill, and in relation to combination of any kind the definition was general. In making that declaration he had the support of high judicial authority, to which the attention of the House had on more than one occasion been drawn, and, more than that, the recommendation of the Royal Commission on the subject had, almost in terms, been followed. The Government, therefore, in that matter had been guilty of no novel departure, and certainly of no extravagant proposals. Then what was the position of persons forming a combination to influence conditions of employment of the agricultural labourer? Assuming that to be a trade dispute, which he thought it would be, in the first place they would be limited in their action by the consideration that they must not as a combination do anything which would be a tortious act if done by an individual. That was the first restriction. In the second place, they would be subject to the very severe restrictions of the Act of 1875. If they sought to coerce the free will of any person, by following him about, by watching or besetting, by hiding his tools or property, by intimidating his family, by injuring his property, or using violence, they violated the law. The law in relation to all other industrial employment would apply to agricultural employment whether in England or Ireland.

MR. A. J. BALFOUR (City of London) said the hon, and learned Gentleman had clearly indicated the intention of the Government, but did not seem well to apprehend the character of the objections which some Members felt very strongly. He had stated that the Government desired that the Bill should extend to all employees in agriculture as an industry, and all were agreed that that form of industry should not be excluded. The hon. Member for Northamptonshire seemed to fear there was some desire for the exclusion, but no one had suggested it from the Opposition side of the House. It was quite clear that to pass a law of this kind in relation to industries carried on in urban areas and not to apply it to outside areas would be so irrational and illogical that the House of Commons would never do it.

SIR JOHN WALTON: But that is the proposal in the Amendment.

MR. A. J. BALFOUR said he went perhaps too far when he said that the House would never be so irrational as to draw a distinction between urban and rural areas. He had forgotten that the Government had introduced a Bill which did make that wholly irrational distinction. The Attorney-General had said that the effect of the Amendment would be, in fact, to exclude from the advantages, if they were advantages, conferred on associations of workmen under this Bill those associations which had to work among agricultural labourers. That was not the object of his noble friend, and he did not think it would be the result of the Amendment. The intention of his noble friend, as he understood, was to exclude certain disputes which, by their own admission, the Government did not wish to come under the operation of the Bill—namely, the ordinary agrarian dispute in Ireland, with which, unhappily, they had been too familiar for many years, he had almost said many generations. In these disputes there might be, as it were accidentally, involved certain interests which did deal with the employment of labour; there might be disputes in which a particular employer who required the services of a certain number of men did, on a matter unconnected with the interests of those he employed, get into trouble with the Land League. It was the object of his noble friend to exclude such cases from the Bill, and the Government also wished them to be excluded. The Government, as he understood, were entirely at one with his noble friend in thinking that, if there was a dispute between, let them say, the Land League and a landlord in a certain county in Ireland, and as an incident of that dispute certain labourers were prevented from working for a certain employer, that should not come within the provisions of the Act. It was not an agricultural dispute in the sense in which the Attorney-General used the expression. That was their policy and intention. The only question his noble friend raised was, Was that policy and intention carried out by the Bill; had they so framed the definition clause as to carry out their desires and intentions? They on that side of the House could not help fearing that the language had been so loosely used that, as a matter of fact, these agrarian disputes might be dragged, technically and accidentally, within the meshes of a Bill intended to deal with a wholly different class of cases. The Attorney-General had made no defence on that point. The defence of the hon. and learned Gentleman was on the policy of the Government, and with that policy in this respect they did not quarrel. What they did hope was that when the Attorney-General rose he would say, clearly and explicitly, that by the language of this definition clause, taken in combination with the language of Clause 1, the cases both he and they wished to exclude were, in fact, excluded from the four corners of the Bill. That was the whole question between them. He must frankly say that, entirely as he agreed with the general intention and scope of the Bill as the Attorney-General defined it, the hon. and learned Gentleman had not relieved the doubts which he and his friends felt as to the actual wording of the clause carrying out that policy.

MR. T. L. CORBETT (Down, N.) rose to continue the debate, when

SIR JOHN WALTON rose in his place and claimed to move, "That the Question be now put."

*MR. SPEAKER said he thought the House was prepared to come to a decision.

Question put.

The House divided :—Ayes, 220 ; Noes, 46. (Division List No. 391.)

AYES.

Acland, Francis Dyke
Agnew, George William
Alden, Percy
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph E (Finsbury, E.)
Baring, Godfrey, (Isle of Wight
Barker, John
Barnes, G N.
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont,Hn.W.C.B.(Hexh'm
Beck, A. Cecil
Bellairs, Carlyon
Bennett, E. N.
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Bramsdon, T. A.
Brigg, John
Brodie, H. C.
Brooke, Stopford
Bryce, J. A. (Inverness Burghs)
Burns, Rt Hon. John
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Causton,Rt.Hn.RichardKnight
Channing, Francis Allston
Cheetham, John Frederick
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Collins, SirWm.J(S Pancras,W.
Corbett, C.H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Crooks, William
Crosfield, A. H.
Cross, Alexander
Crossley, William J.
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dilke, Rt. Hon. Sir Charles
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Edwards, Clement (Denbigh.)
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Evans, Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ffrench, Peter
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Gilhooly, James
Gill, A. H.
Ginnell, L.
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Sir W. Brampton
Hammond, John
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hay, Hon. Claude George
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jackson, R. S.
Jacoby, James Alfred
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, Wm. (Carnarvonshire)
Jowett, F. W.
Joyce, Michael
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, SirJosephF.(Accrington)
Lehmann, R. C.
Lever,A.Levy(Essex, Harwich)
Levy, Maurice
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs)
Maclean, Donald
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Micking, Major G.
Mallet, Charles E.
Marnham, F. J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Montagu, E. S.
Mooney, J. J.
Morton, Alpheus Cleophas
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Chas.N. (Doncaster)
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien,Kendal(TipperaryMid)
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wilckow, W.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Grady, J.
O'Kelly, Conor (Mayo, N.)
O'Kelly,James(Roscommon,N.
O'Malley, William
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk, Eye)
Price, C.E.(Edinburgh,Central)
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond. John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Ridsdale, E. E.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E.(Dundee
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Rose, Charles Day
Rowlands, J.
Samuel, HerbertL.(Cleveland)
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Simon, John Allsebrook
Smeaton, Donald Mackenzie
Smyth, Thos. F. (Leitrim, S.)
Snowden, P.
Stanger, H. Y.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End.)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Thomas, Abel (Carmarthen, E.)
Thomasson, Franklin
Torrance, Sir A. M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.

Walsh, Stephen
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampt'n
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Wilson, Hn. C. H. W. (Hull, W.)
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Young, Samuel

Tellers for the Ayes—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood, Rt. Hn. Sir Alex F.
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Balfour, Rt. Hn. A. J. (City Lond)
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.)
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bowles, G. Stewart
Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Lord John P. Joicey-
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Captain James (Down, E.)
Craik, Sir Henry
Dalrymple, Viscount
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hervey, F. W. F. (Bury S. Edm'd's
Hills, J. W.
Liddell, Henry
Lockwood, Rt Hn Lt-Col. A. R.
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Mason, James F. (Windsor)
Meytey-Thompson, E. C.
Mildmay, Francis Bingham
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
O'Neill, Hon. Robert Torrens
Parker, Sir Gilbert (Gravesend)
Pease, Herbert Pike (Darlington
Rawlinson, John Frederick Peel
Rothschild, Hon. Lionel Walter
Salter, Arthur Clavell
Thornton, Percy M.
Valentia, Viscount
Wilson, A. Stanley (York, E. R.)
Younger, George

Tellers for the Noes—Lord Robert Cecil and Mr. Charles Craig.

Main Question proposed.

*Mr. FELL (Great Yarmouth) said that, although he approved in the main of the objects and principles of this Bill, the manner in which it had been passed through the House up to this stage, and the exceptional circumstances under which it passed through Committee, compelled him to call attention to the facts, especially with regard to Clause 2. When that clause, which was known as the picketing clause came before the Committee it was to render it lawful for one or more persons to attend peaceably and in a reasonable manner at or near the house in which a person resided. To that clause there were many Amendments put down, most of which were abandoned, dropped, or negatived for the reason that it was held by the Committee that as the clause contained the words "peaceably and in a reasonable manner" it was governed by those words. Every argument advanced at the Committee stage in favour of any Amendment by limiting the number of the pickets was met by the answer that the matter was sufficiently provided for by the words "peaceably and in a reasonable manner," and that those words included "a reasonable number." Not only was that the expressed view of the Government, but the hon. and learned Member for Reading, whose opinion on a question of law every man of the House would agree was sound, also was of opinion that those words would cover all the points raised in the debate. That was the position at the end of the first portion of the Committee stage. There was then a week in which the hon. and learned Attorney-General had an opportunity to consider whether the words "a reasonable number" should be incorporated in the Bill, and on the resumption of the Committee stage he expressed the opinion that he could not accept an Amendment limiting the number of the pickets, because the clause provided that the picketing must be done in a peaceable and reasonable manner, the reasonableness of it being dependent on various circumstances. The result of the discussions was that the Bill left the Committee with the words "peaceably and in a reasonable manner" in the clause. Nothing further was heard of the matter until the Report stage, when he was absolutely amazed to see upon the Paper in the name of the hon. and learned Attorney-General an Amendment to omit those words. He really could not believe his eyes. He said to himself, "But these are the exact words with which the hon. and learned Gentleman met my Amendment." But for some reason in the interval between the Committee and the Report stages the hon. and learned Gentleman had decided to omit these words, which formed, as he had said in the Committee stage, the safeguards of the people. [An HON. MEMBER: "Shame."] They might well say shame. It was hardly the course one would have expected the hon. and learned Gentleman to take. It was hardly credible. It was not what one would expect in business or private relationships. If such a change occurred in business, if a man obtained an agreement under a clause in which he promised certain things, and if afterwards he did not put them in the agreements, he might have a chance of doing it once, but he would not have a chance of doing it again. If the Government passed Bills through the Committee stage with arguments that certain words in the clause met all the Amendments, and then proposed on the Report stage to leave out those words, he could hardly describe such procedure in language that would be in order. For that reason, although they might agree with the greater part or even the whole of this Bill, having regard to the fact that it was passed through the Committee stage by he might almost say absolute misrepresentation, in his opinion it ought not to be read a third time. Therefore, as it could not be sent back to the Committee, he should show his disapproval of it by voting against the Third Reading.

SIR FREDERICK BANBURY (City of London) said he had listened with great attention and with much pleasure to the speech of his hon. friend, but there was one portion of it with which he did not agree. If his hon. friend had been an older Member of the House he would not have been amazed at the action of the Government with regard to this particular clause. It was only part and parcel of the whole of the behaviour of the Government throughout the Bill, to say nothing of other matters in which they had shewn the same want of tact. The ostensible object of the Bill was to put the law in the state in which it was before the Taff Vale decision. He proposed to show that the Bill went much further than its avowed object, and he desired to question the fact that the Taff Vale decision made any alteration in the existing law. Previous to the Acts of 1871 and 1875 trade unions were illegal associations, and could neither sue nor be sued. After the passage of those Acts trade unions were recognised. He thought he was correct in saying that under those two Acts trade unions were for all practical purposes recognised as legal combinations, with the result that they acquired the advantages and disadvantages attaching to such combinations. It was evident to everybody that the Acts of 1871 and 1875 refused to recognise the immunity of trade unions; it was held that if trade unions were recognised they should have equally with their rights to answer for their wrong doing, if they committed any wrong. He had no hostility to trade unions as such. He thought in many cases they had done good. In many cases they were absolutely necessary for the well-being of the working classes. But he did not admit for a moment that trade unions were always perfect, or that they were like the King and could do no wrong, which was what this Bill practically said. They had committed tortious acts in the past and would no doubt commit tortious acts in the future, and under those circumstances it was absolutely necessary that, while they received recognition from the law, they should at the same time be made amenable to the law. It had been said that Parliament in its wisdom intended in 1871 and 1875 that the trade unions should not be suable and that they should be immune from the law. But it was an old proposition that Parliament was to be judged, not by its intentions, but by its Acts. Hon. and learned Members of the House would bear him out when he said it was no evidence in a Court of law to say that the hon. Gentleman in charge of a particular Bill intended to do a certain thing, neither was it evidence to produce a copy of *Hansard* and say not only did the hon. Gentleman intend that, but said it. That was not evidence in a Court of law. All that had to be done was to turn to the Act and see whether there was anything in the Act to sustain the view put forward. He did not remember that even in this House an hon. Member had produced a copy of *Hansard* and said there was anything in the debates on those Acts to justify the opinion that the Legislature intended to make trade unions or trade union funds immune from the law. Upon this point the whole Bill really turned. He was sure that it would not be maintained that no Act passed by this House should ever be amended, but putting that aside he wished to ascertain what foundation there was for the assertion that had been made. He did not think it would be possible for anyone to go at length through the pages of *Hansard* and find anything to justify the position taken up by hon. Gentlemen opposite and hon Members below the gangway. There was ample evidence to show that the statements and opinions of hon. Gentlemen who held that the law was changed by the Taff Vale decision were wrong. The Royal Commission, on which were some of the ablest Members of the learned profession, went very fully into this question, and were satisfied that the law laid down by the House of Lords involved no new departure and was not inconsistent with the legislation passed in 1871. As a matter of fact trade unions were subject to the law, and the Taff Vale decision did nothing to alter the law. It was quite evident to anyone, whatever view he might hold, that a trade union should not be liable for the act of its agents unless it was conclusively proved that the union had authorised those agents to do the things complained of. Equally he thought a trade union should not be liable for the acts of its executive unless it was proved that the trade union had authorised its executive to perform certain acts. If the Bill provided, as the original Bill did, that the funds of trade unions were to be exempt from seizure, or that the executive of a trade union should not be liable unless it was proved that the executive had actually sanctioned the particular act, he would have been one of its most earnest supporters. He found that no less a person than the Chancellor of the Exchequer on the 6th February, 1903, at the Eighty Club dinner, which he believed was attended by all the leading members of the Liberal and Radical Party said—

> "He had told his trade union friends that the common sense of the community would not be easily convinced that an association of persons—whether incorporated or not, made not the slightest difference—wielding great power, controlling considerable funds, should not be legally answerable for the conduct of their agents."

Therefore the Chancellor of the Exchequer agreed that the proper course would have been to bring in a Bill exempting the agents, unless acting directly under the orders and with the sanction of their trade union. But that was not all. The Secretary of State for War, speaking on 22nd January, 1906, said—

> "He saw that Mr. Keir Hardie had written to the newspapers threatening Mr. Asquith and himself with all sorts of retribution if they would not toe the mark by voting for the particular proposition which Mr. Keir Hardie wished to see carried out in regard to trade disputes. He was sure that neither himself nor Mr. Asquith would budge one inch in the direction of Mr. Keir Hardie's demands. To make the kind of preposterous proposition which Mr. Keir Hardie put forward was only really to show how very feeble was the position which he held in the House of Commons."

Later on the Attorney-General himself asked them not to create a privilege for the proletariat, declaring that this claim for immunity on the part of trade unions had not been made until quite lately, and he did not know even then whether it was the demand of the Labour Party as a Party. The hon. and learned Gentleman knew now that it was the demand of the Labour Party, and in consequence he had eaten his words. He thought he had shown that he was not alone in the opinion he held that the proper course would have been to introduce a Bill to amend the law of agency. He only wished that it was in his power to use eloquent language, for then he might be able to make some conversions among hon. Gentleman opposite. But after all, eloquence did not mean much if it was not accompanied by backbone. He was against this Bill because it created a privileged class. [Ministerial cries of "Oh."] He had always been against creating a privileged class, no matter whether they were landlords, capitalists or working men. [An Hon. Member: "Or stockbrokers."] Or stockbrokers. He had always thought that the House of Commons during the last 150 years had done its best to do away with privilege. This democratic Parliament, returned to remedy all the abuses to create a new heaven and a new earth, had commenced by making two privileged classes, working men belonging to a trade union and capitalists. He was not at all sure that the capitalists might not also abuse their powers just as much as trade unionists, and he did not wish to put such powers into their hands. He thought the very fact that this Bill created a privileged class ought to be sufficient argument against the Third Reading. For argument's sake he would assume that prior to the Taff Vale decision trade union funds were immune from the law. Was it a fact that this Bill put them back into that position? Was it not proved that this Bill gave them any number of privileges which they did not enjoy before? He did not propose to go at length through the various privileges granted by the Bill. It might be that he was wrong and that hon. Gentlemen opposite were right, but no man could deny that this was one of the most important Bills that had been brought before the House of Commons during the last ten years, and therefore it was absurd to say that it should not be criticised, especially when it was borne in mind that on the Committee Stage the Government took advantage of their number to closure the small minority who were fighting against it, and to pass the Bill by brute force.

MR. J. WARD (Stoke-on-Trent): Has that never been done before?

SIR FREDERICK BANBURY: No.

MR. ARTHUR HENDERSON (Durham, Barnard Castle): What about the Licensing Bill?

SIR FREDERICK BANBURY said that Bill was not closured after a few days discussion; but even if it had been, two wrongs did not make a right. This Bill gave trade unions far greater privileges than they ever possessed before the Taff Vale decision. Upon a previous occasion, when the question of leaving out the words "peaceably and in a reasonable manner" was under discussion, the Attorney-General had said—

> "It was impossible to accept the Amendment because the discussion had been conducted all through on the assumption that there was this provision in the Bill as it stood."†

Those words were very simple and much to the point. They were very brave words, and on the strength of them many members of the Opposition supported the Government in the division that followed. It was almost inconceivable that, having stated that he could not accept the Amendment, he should afterwards come down to the House and accept it. In doing so he had not the excuse he had in March this year that he did not know what the opinions of the Labour Party were. He had voted against the Amendment, but had afterwards and completely thrown over his own statement, although he had practically assured the Opposition that the words should remain in the Bill.

SIR JOHN WALTON was understood to dissent from the hon. Member's description of the course he had taken in this matter. He also pointed out that it was quite open to him to move the Amendment on the Report stage.

SIR FREDERICK BANBURY said the Amendment to which he referred was that moved by the right hon. Baronet the Member for the Forest of Dean to omit the words "peaceably and in a reasonable manner." It was the hon. and learned Gentleman who, having refused to accept the Amendment, came forward on the Report stage and moved to omit those identical words. The Members of the Opposition could, of course, have moved to put in other words, but what would have been the use of their proposing Amendments to be rejected by, say, 340 to 56? He had great respect for the Attorney-General, but he did not think that the hon. and learned Gentleman was very grateful; for on Friday, the 3rd of August, it was the Opposition that saved him from defeat on that very Amendment. He had endeavoured to show, first of all, that there was no foundation for the statement that the Taff Vale decision altered the law; and, secondly, he had shown, he thought unanswerably, that the Leaders of the Radical Party favoured the view which he himself held that what was necessary was an alteration in the law of agency. He had further shown that this Bill went very much further than the ostensible object of hon. Members below the gangway. Not only did it put trade unions back in the position in which they thought they were before the Taff Vale decision, but it gave them a great many other privileges. [A LABOUR MEMBER: "No"] He said "Yes." It had legalised picketing, boycotting, and several other things, none of which any reasonable man could consider reasonable and proper. What would be the result of this Bill in the country? The result would be to create two privileged classes, and the effect would be disastrous. He did not know whether they were going to divide on the Third Reading. Personally he should like the House to divide. He had no fear of being in a small minority. He had been in a great many small minorities in his life, and most of them had been in the right. He was of opinion that if they did divide on this Bill those who voted for the Third Reading would in a few years regret it. He did not think altogether that it would be the capitalists who would regret the decision. The only result of the Bill would be to create such friction between capital and labour that capital, whether it liked it or not, would have to combine to protect itself, and that at a moment when we were engaged in competition with every other country in the world, and when every other country in the world was increasing in commercial prosperity in a very much greater degree than we were. [AN HON. MEMBER: "No."] There was no question about it. That was the moment chosen to initiate struggles between capital and labour. Capitalists would lose, but they would not lose everything they had got. They could go to another country, but workmen could not. If business and trade departed from this country, the workman would lose all he had, because his stock-in-trade was his labour. Before five years were out, his prophesies would be found to be correct, and hon. Members below the gangway, and still more, hon. Members on the opposite side of the House, would regret that they ever saw this Bill, or that, having seen it, they made the fatal and foolish surrenders of which their front bench had been guilty.

---

† See (4) *Debates*, clxii., 1636.

*MR. SIMON (Essex, Walthamstow) said two things came out in the speech of the hon. Member for the City of London. The first was that this Bill was, in his opinion, going to complete the destruction of British trade, and especially to do irretrievable damage to the interests of the working classes; and the second was that it was not quite certain whether the hon. Baronet and his Party were going to vote against it.

SIR FREDERICK BANBURY: I am sure that the hon. Member does not wish to misrepresent me. I said I would vote against the Bill. I am not the Leader of the Party, and I do not know what they are going to do.

*MR. SIMON said he was sorry he had not understood what the hon. Gentleman intended to say. Time would make clear his doubts on that matter. But a point of greater importance which emerged from the speech of the hon. Baronet was how far hon. Gentlemen opposite were justified in denouncing the situation which the Bill would create as one of grave injustice and inequality for which they themselves would never accept the responsibility. He submitted that whatever else was doubtful about the Bill one thing was clear, and that was that it was an attempt—an honest and generous attempt, as he believed—to get back to a position which the public had always understood was secured by law to trade unions. The hon. Member for the City of London had assured the House that he was not a lawyer, and he himself shared with the hon. Member the regret that lawyers should have taken so large a part in these discussions; but a man who was a lawyer and had applied his mind to the history of this matter could not doubt that from the year 1871 down to the Taff Vale decision in 1901, a period of thirty years, although trade unions had constantly been the object of criticism and attack, and although they were bodies which employers would have been very glad to assail, yet in no single case, in no single Court, and on no single occasion, did any lawyer ever advise an action against a trade union. When the hon. Gentleman opposite asked for proofs that that was the popular notion and the legal notion of the situation trade unions occupied, he invited him, and he invited hon. and learned Members on the opposite side of the House who knew the care and precision with which the members of the legal profession gave advice in the important matter of litigation, to explain why it was that for thirty years no action had ever been brought against a trade union? The explanation was perfectly simple. It was not, of course, that the Taff Vale decision had altered the law. Judges did not alter law; they only interpreted it; but the interpretation put by the House of Lords on the law was one which changed the whole state of affairs. An analogy stood ready to their hands. This was not the only occasion on which great Courts and great Judges had produced great surprises by their interpretation of some of the legislative efforts of this House. It was wonderful how quickly lawyers could persuade themselves that they had never held opinions which subsequently proved to be erroneous. He looked forward to the day when the noble and learned Lord the Member for East Marylebone would get up and assure them that he always perfectly understood that the Education Act of 1902 did not permit public money to be used for dogmatic education. The surprise created by the judgment in the West Riding case was not greater than that created among the vast majority of legally trained gentlemen when the Taff Vale decision was given. But there was a much more important question than what the opinion of lawyers was on this subject, and that was, what was the opinion of the country, what was the opinion of the public, on this question from 1871 onwards? The hon. Gentleman had referred to the Report of the Commission which investigated this subject, quoting the statement of the Commissioners that it had been the popular view that trade union funds were immune. The important thing for the House to keep in view was not the technical legal view; they had to ask themselves what was the popular view—what was the view upon the faith of which trade unions had grown up—and if it were beyond dispute, as it was, that that view was that the funds of trade unions were protected, then the Bill was only restoring a position which the country at large had thought trade unions already occupied. If that was so, he would point out a very curious anomaly in these debates. It had been not uncommonly asserted by the Tory Party for the past twenty years that it was to the statesmen of that Party that labour and trade unions were indebted for their secure position. The right hon. Gentleman the Member for West Birmingham, whose absence everyone regretted, speaking to his own people in 1900, said—

> "Just consider for a moment to whom you, the working classes of this country, owe all the legislation which has really made a difference in your condition."

He was not concerned at present to criticise the justice of that claim. The importance and the relevancy of the matter was that the claim was made on behalf of the Party opposite. When these claims of having effected legislative changes in the interest of labour were advanced on behalf of the Conservative Party, what was the situation to which they referred? Surely it was the situation which was commonly understood to exist before the Taff Vale decision. If that were so, what was to be said of the extravagant denunciation which had been poured on the Bill by hon. Gentlemen opposite? The Party represented on the opposite benches was responsible for the legislation of this country for a large part of the last generation, and if they were of opinion that the immunity of trade union funds was an outrage and an injustice, they had had plenty of time in the past to rectify that injustice. He for one could not understand how a body of men who claimed that the position of trade unions—which meant the position as it was commonly understood—was due to their own efforts could consistently attack the present Bill. They all accepted the view which had been exploded on the country by the House of Lords. All that Bill was attempting to do was to recover from the effects of that explosion. Just as he should have expected the present Leader of the Opposition, if he had been in power, to have come and required the House to make good the mischief that was revealed in the Education Act of 1902 by the West Riding decision, so the Liberal Government was entitled to call on every Member desiring to see made good the belief held by the past generation as to the position of organised labour to help to pass into law a Bill that simply restored trade union funds to the position they were already thought to enjoy.

*MR. SHACKLETON (Lancashire, Clitheroe) said the criticism of hon. and learned Gentlemen on the Opposition side of the House had been mainly directed to the words "reasonable manner," and, of coure, they had tried to make the most of them. There was no doubt that those words were inserted for the definite purpose of making it as clear as possible that the action of pickets should be peaceful and conducted properly. He and his friends were convinced that the words in the clause as now printed were quite satisfactory, and sufficient to meet all the doubts. So far as he and his friends were concerned they attached the greatest importance to the fact that in the Courts of law they would have in the interpretation of this Act to face a body of men against whom they had nothing to say personally, but whose sympathies on all these points were not with them. It was a well-known fact that whether they went to the bench of magistrates or to special juries, they were against trade unionists. No workman, or any person near the *status* of a workman, ever found a place on special juries, and whether the action of members of trade unions was for the purpose of peacefully persuading or communicating information there was a disposition not in favour of workmen in any trade dispute. There was the fullest guarantee in the clause for the peaceful carrying out of picketing. He appealed to the House to remember that this was not an ordinary question between two traders, nor a question of an ordinary commercial transaction; it was a question between workmen and employer, and the jury to try the question was composed entirely of employers. Trade unionists wanted no words inserted in the Bill which would hamper them in any way. On the other hand, it was far from the aim or object of trade unionists to encourage anything in the nature of unlawfulness. They had held their position for years with honour to the community and with honour to themselves, and it was absurd to say that the leaders of the operatives would do anything of an illegal nature. They knew perfectly well that all their actions in the future would have to be as carefully guarded as their actions in the past had been, and there was no intention on their part to go one hair's breadth outside the conditions of the Bill, or that their work should be performed in such a way as the House did not intend. Some hon. Gentlemen seemed to imagine that this was the only Bill that was going to regulate the conduct of trade unionists in the future, but he would remind the House that it repealed only a small section of the Act of 1871, the rest of that Act remaining operative. The Bill only gave effect to the Act of 1875, and allowed peaceful picketing which judicial decisions had made illegal. At present, trade unionists were not allowed to approach workmen when a dispute was going on to give them information, unless these workmen came and asked for it. Non-unionists did not like to do that. He maintained that it was most unreasonable that they should not be in a position to approach these workmen as well as to be approached by them. He contended that trade unionists were entitled to use persuasion, and to take reasonable action to acquaint people that there was a trade dispute in progress. But what was the position? If a dispute took place in the engineering industry, which was pretty well distributed over the country, or in the cotton industry, which was confined to a few districts, an employer could put into any local newspaper an advertisement for workmen to take the place of those with whom he was in dispute, giving the name of the firm, stating the good wages which would be paid. But trade unionists dared not put an advertisement in the newspaper in reply except in general terms. Newspapers absolutely refused to run the risk of inserting a counter advertisement setting forth the cause of dispute, giving the reason why workmen should not accept employment with a particular firm, or in a particular district. He held that that was most unfair, and this Bill would give trade unionists an equal right with employers in that respect. But employers need not advertise at all; they had other means of using their influence. He held in his hand a copy of a communication issued by a combination of Yorkshire employers which stated—

> "No strike hands from any part of the country to be employed under any circumstances by any member of this association."

And a resolution was come to by the same combination—

> "That a list of names of strike hands be from time to time printed, and sent by the secretary to each member of the association."

The employers could do all that without letting members of the trade unions know anything about it; and surely trade unionists also should be allowed to do these things publicly with out violating the law of the land. Several years before the Taff Vale decision, a Royal Commission was appointed over which the Duke of Devonshire presided, and on which two labour men were allowed to sit. The majority of that Commission reported—

> "In order to enable trade associations to enter into collective legal binding agreements with the consequence that in case of breach of contract they would be liable to be sued for damages, payable out of their collective funds, it would not be sufficient to repeal sub-section (4) of the Act of 1871. Even if that legislative incapacity were taken away, the trade association would be prevented by their want of legal

personality from entering into such an agreement, or suing, or being sued, except with regard to the management of their funds or real estate."

Surely that was sufficient evidence that the position which trade unionists held, and still hold, was a right one; and notwithstanding what some legal gentlemen might have said to the contrary, the ordinary common sense of the country was with them. In a passage in a decision given by the Master of the Rolls, the following statement occurred—

> "For instance, in the Company's Act of 1862, 25 & 26 Vic. by Section 6, it is enacted that seven or more persons may be registered, and the section goes on to enact further that after registration they should form an incorporated company with, or without liability. The first part of the section is re-enacted in the Trade Union Act of 1871, but the last part about incorporation is pointedly omitted."

For his part, he had no doubt as to what the intention of Parliament was; and the principle of this Bill had been adopted by the House on more than one occasion. In the last Parliament a majority of over 200 sanctioned its principle; and he felt certain that the present House, by passing the Third Reading by an overwhelming majority, would give general satisfaction to the labouring classes of the country, would in no way endanger public order, or encourage illegal action, and would strengthen trade unions, which were recognised on all sides as having had some considerable part in removing the sorry state of things existing previous to 1871. Might he give a few figures as to the progress of trade unions during the last thirty years? In 1874 the trade unions numbered 147; in 1904 they numbered 646. The membership of these unions in 1874 was 285,563, and in 1904, 1,544,461. The organisation of trade unions had been used in the past primarily for the furtherance of the interests of workmen. He confessed that quite frankly and without shame. But he believed that by its action on behalf of workmen, and by combined action on behalf of employers, a better state of things and a higher standard of living had been attained without the least risk to the country as a whole. He trusted the House would that day pass the Bill by an overwhelming vote, for he believed that, without any reference to other matters which might go to another place, no one, either here or elsewhere, could say that the country had not decided in favour of this Bill.

Sir GILBERT PARKER (Gravesend) said that no one could have listened to the speech of the hon. Member for Clitheroe without being greatly impressed by it. The work which the hon. Member had done for his own class was familiar to everyone. He might, if he were magnanimous, congratulate the Labour Party on the triumph they had achieved, not by methods of peaceful persuasion, but by coercive persuasion. [Ministerial and Labour cries of "Oh, oh!"] They had induced the Government to believe that they were representing the opinion of the country. What he wished to ask was why if it was the opinion of the workers at large, of the legal profession at large, and of the Liberal Party at large, that the Taff Vale decision ought to be reversed, did not the Government bring in a Bill which embodied what was now embodied in Clause 4 of this Bill? The Attorney-General, who was a great lawyer, came down to the House early in the year and introduced a Bill in a speech in which, to his credit be it said, he declared resolutely against the clause which was now accepted by the Government, pressed on the House, and presently would be signed, sealed and delivered. The hon. and learned Gentleman was then speaking from conviction; he was standing by the profession to which he did great honour; he had put his principles on what appeared to be tables of stone, but they had proved to be like the wax of Egyptian records. He would not press the Attorney-General further on this point, for he was quite certain that the Attorney-General had suffered sufficiently for his lack of decision, and the lack of decision of the Government. [Ministerial cries of "Oh, oh," and "Shame."] The Labour Party thought they had got all they wanted.

Mr. J. WARD: Certainly not.

Sir GILBERT PARKER: They have got from the Government what they were at first not prepared to give.

Mr. J. WARD: We have got all we can get.

SIR GILBERT PARKER said that the trade unionists had got immunity for their funds and they had got clearly established in what manner they could persuade; but he did not believe that in Clause 3 they had yet quite clearly established how far they might induce other workmen to break their contract of employment. Having read the speeches of the Attorney-General and other lawyers, he was convinced that the House itself could not be clear in its own mind as to what the clause really meant. The hon. Member for Clitheroe had drawn an illustration as to how he himself and his trade union were put under a grave disadvantage when he was endeavouring to persuade to reconsider their decision certain men who had come to take the place of strikers, because the workmen who had struck did so on account of the inadequate and poor material with which they were supplied. He thought that the whole House would agree that that was an instance in which the hon. Member was entitled to state his case to the workmen who had come to take the place of the strikers; and the Attorney-General put it that under the law as it stood the proceeding of the hon. Member for Clitheroe was actionable.

SIR JOHN WALTON: If the men were under contract.

SIR GILBERT PARKER said that what the Attorney-General had stated was that "to be actionable, conduct must be malicious, which either meant without just cause, or with an indirect motive." He asked the Attorney-General if, under Clause 3 as it now stood, would the action of the hon. Member for Clithercœ be legal?

SIR JOHN WALTON was understood to answer in the affirmative.

SIR GILBERT PARKER then took the case in which the South Wales Miners' Federation sought to induce workmen to break up their contracts, and so limit the supply of coal, and asked whether such an act would under Clause 3 be legal? The view of the Attorney-General was that this clause did not really change the law but simply defined it, whereas the late Solicitor-General, who was an authority on the law, said—

> "If it was only going to cover a case where it was a breach of contract lawfully brought about, and if all these words meant was that it should be lawful hereafter to do what had hitherto been lawful, then he would not oppose the insertion of the words, but his own opinion was that there would be a very strong argument upon the word 'hereafter,' and how it would be decided he did not think any lawyer could say."

On Monday last this clause was discussed very inadequately, and the feeling was that its real meaning had not been made sufficiently clear, and that there would be wrangling in the future over its interpretation. Then there was the case of "Quinn *v.* Leatham." That was illegal under the old law. It was a law that had been lately evolved into a branch of law by itself. The question he wished to ask was, would such a case as that of "Quinn *v.* Leatham" be possible under this Bill when it became law? If it was possible, then, in his opinion, the House had not as gravely considered the point as they should have done. He put these cases because they covered a very wide ground connected with the conditions of labour and employment in the future, and with trade unions and trade disputes. The Labour Party had got all they asked for. They had immunity from an action against their funds. They had it clearly established how they might proceed. But he did not believe that under this clause it was clearly established that they might induce men to break contracts. It was because he felt that uncertainty, and was interested in the progress of labour and employment in this country, that he as a Member of Parliament who had to record his vote, asked the Attorney-General to give some exposition as brief as might be of this clause. By so doing he would clear the minds of many who opposed the Government of an anxiety as to what the clause really meant, and as to whether it did not go much further than many on both sides of the House were willing that it should go. The Amendment of the right hon. Baronet the Member for the Forest of Dean brought this clause to an issue on the question of the breaking of contracts, and the right hon. Gentleman did not divide the House because he believed it would necessitate the reconstruction of the Bill. He (Sir Gilbert Parker) believed that this was the most important clause of the Bill. Clause 4 was important because of the immunity it gave from civil action, but the most important question no doubt was the breaking of contracts. Was the clause in such a position now that the actions which he had described might take place and not be described by the Judges as malicious? If such actions were to be legalised, if they fell within the bounds of Clause 3, then in his opinion the House were going to an extreme degree in the facility given with regard to breach of contract. That was all he had to say with regard to Clause 3. The hon. Member for Leicester had given the true definition, not only of trade unions but of this Bill, when he described trade unions as an engine of war, not necessarily an engine of strife. He did not believe that the hon. Member for Leicester intended to represent that they were an engine of strife, but they were an engine of war and a most effective one. The Labour Party had been able to impress the public, and in this House the Liberal Party as a whole, with their view that the funds of trade unions should be immune, that breach of contract should be permitted, and peaceful persuasion within limits established. He congratulated them on a work successfully accomplished, although he questioned the wisdom of this particular clause. He thought wisdom had come late to the Attorney-General. He did not think the hon. and learned Gentleman would receive in the future the thanks of the Liberal Party for having bowed to the will of those who were masters of the situation, by which action he had perhaps endangered his reputation as a great lawyer. Nor did he think that the hon. Gentleman would receive the thanks of labour. The trade unions did not represent all the labour of this country, and this Bill if it brought any benefit at all would bring that benefit to trade unions and not to labour as a whole. He apologised if in any sense he had seemed to speak strongly of the action of the Attorney-General in this matter, but he spoke with a sense of responsibility to this extent, that in his constituency there were many workers in the cement works outside the union, and they took strong views on this question. He had not always agreed with those views, but he had felt it his duty to express himself on this the last opportunity concerning this Bill, and to say that while he had voted against it before, and would vote against it again for one thing, and one thing only, namely, the clause giving immunity to the funds of the trade unions in civil actions, in all other respects he agreed with the Bill, and to-day had no intention of going into the lobby against it.

MR. PAUL thought the reputation of the Attorney-General as a great lawyer was well able to take care of itself. The question raised, and which was to be decided by this Bill, affected the industrial history of this country for all time. He was, of course, quite unable to reply to the legal conundrums which had been put by the hon. Member, and he had always noticed that there was nobody quite so technical as a layman who talked law.

SIR GILBERT PARKER said he was not talking law, but asking some pertinent questions, and in asking those questions he had not intended to enter into any legal argument.

MR. PAUL said he wished to consider this matter for a few moments as it appeared to the ordinary politician, or the ordinary member of the public. It had been denied, and was still denied, that this Bill put back the law to the position in which for thirty years it had been supposed to be. He did not think he could adduce a better argument in proof of their proposition that it did than the fact that the decision of the House of Lords in the Taff Vale case reversed, to the general surprise of the legal profession as well as of the public, the decision of a very strong Court of Appeal. Hon. Gentlemen who had taken part in opposing this Bill had said that the Party opposite were the friends of trade unions. There was no better friend of the trade unions in this country than Lord Cross. According to the hon. Member for Gravesend the Government had submitted to pressure and coercion. He was not aware that the Government were dependent upon the Labour vote. The hon. Member had assured the House that there were far more non-unionists than unionists. If that were so, why should the Government be so anxious to sacrifice their principles and reputation and throw over the hon. Member for Gravesend in order to obtain the votes of a miserable minority? There was a time when trade unions did threaten to be a very serious danger to the community. That was in the days when Mr. Cobden said he would rather live under the Bey of Algiers than under a trade union. Trade unions at the time were small, scattered, isolated, imperfectly organised, with inadequate control of their own members. They were not recognised by law, and were liable to be indicted as criminal conspiracies. The Act of 1895 gave them a *status* and it was to the honour of a Conservative nobleman still living, that even after the Sheffield outrages he introduced and carried a Bill which for the first time in the history of this country placed workmen and their employers upon an equal footing. Since trade unions had had these powers, which up to the present time had not been adequate, but were greater than before, what had been the experience of the country as compared with the time when the trade unions were small and weak? There had been no more Sheffield outrages, no more murders, no more riotings. Every strike in this country had been peacefully conducted, and a far larger number of disputes had been settled by arbitration. The very Judge who tried the Taff Vale case, a most learned and experienced lawyer, Mr. Justice Wills, had said that if he had a dispute with anybody he would like it to come before the arbitration of the senior Member for Derby, a man who could stand up not only against his own class, but against his own association in this matter. Was it against such men as the hon. Member for Derby or the hon. Member for Clitheroe that the people of this country required the protection of criminal law? Did those of the Conservative Party who were present in this Parliament think that there could be a better guide in legislating for the future than the experience of the past? Was it wise, was it statesmanlike, was it conservative, to disregard that experience? Why should they not all rejoice, to whatever class or party they belonged, that the experience of the past proved that large masses of our fellow countrymen had wisely used and scarcely ever abused those powers which they, with the universal consent of laymen and lawyers alike, had for a whole generation possessed and enjoyed?

MR. CLAVELL SALTER said that reference had been made to the course which the Attorney-General had taken in this matter. Perhaps the House had had enough, by this time, of references to this Minister and to that. He was honestly convinced, however, that this Government as a whole had suffered more discredit in the country from its conduct of this measure than from any other matter which they had taken up since they came into office. Not only had they suffered great discredit, but he believed they had suffered that discredit without reward. It was possible that a member of the legal profession was better able to realise the great effect of the change which this Bill would produce on the daily life and labour of the people than a layman could do. The time for taking up the attention of the House over details had passed, and therefore he wished to say only a very few words. He believed that this Bill would make a very drastic and undesirable change in the law, not merely in that part of it which would fix the attention of the public, the immense position in which it placed trade unions, but in other parts of the Bill. With regard to the first part of the Bill, the fact which impressed his mind and filled him with apprehension for the future was the undefined nature of the change which it was proposed to make. Not even the most experienced of men could form the slightest idea of who were the persons who by this Bill would be clothed with those great new powers which the Bill undoubtedly conferred. Those powers were not restricted to the parties to these industrial disputes. The definition of "trade dispute" was so wide that it was impossible to say who were the people who would be licensed to persecute and who were the people who would be persecuted. It impressed his mind very strongly that the circumstances and conditions under which these new powers were to be exercised were of the most delicate character. This Bill gave power which was not at present enjoyed by anyone in this country—power of interference with people in their work and in their homes; power to interfere, to cajole, and to coerce, in circumstances in which Englishmen, and English workmen above all, were apt to resent interference in the greatest degree. For his part he seriously thought that when these new powers of doing what was now illegal began to be put in force in industrial warfare the men against whom they were put in motion, deprived of the legal protection which they now enjoyed, would defend themselves and retaliate on their assailants. He feared that those men would be likely to retaliate by means which were violent and disastrous. The House knew something about American methods of conducting industrial disputes. They knew of combinations of men who, by reason of their great wealth and great organisation, had succeeded in practically emancipating themselves from the operation of the law, and had made it difficult to apply the law to them. They knew what the particular consequence of a strike was in the States, and what strike making and strike breaking meant as those operations were there carried out. His anticipation and his fear was that the result of this Bill becoming law would be the introduction into this country of the mischievous methods of American industrial warfare. He honestly believed the passage of the Bill would not close this matter, and that in a time not far distant, as they measured time in this House, Parliament would be called upon to deal once more, in the light of very unhappy experience, with the question of industrial warfare and the legal *status* of trade unions. One other thing had impressed itself upon his mind and he believed would impress itself upon the mind of every Member of the House, namely, that when this Bill became law, if a servant of a trade union by his negligence caused the death of a man, the representatives of that man would have no redress against the trade union; or if the trade union through its representative obstructed a man or cut off the water supply to his house that man would have no redress; neither would he have any redress if a trade union printing and publishing a newspaper published a libel against him, and if they insisted on a continuance of the publication of that libel he would have no right and would not be allowed an opportunity of going to the Court and obtaining an injunction to restrain such publication. No man could say that changes such as these were not serious. Yet these were the changes proposed to be made by this Bill and proposed to be made, as he submitted, without a mandate from the people. The Attorney-General, in speaking of his own clause, had said that it carried out the mandate of the people. Organised labour found itself to be strong—possibly stronger than it had realised before, and advantage was taken of that strength to increase its demand. A special alteration of the law of agency was not enough; the demand was made for the exemption of trade union funds altogether. So a clause was introduced to that effect. Appetite came from eating, and trade union leaders, warming to their work, said that even this would not be enough, and that they must be exempted altogether from the operations of the Courts. And so the last stage in this matter was reached. The hon. Member for Clitheroe had complained of the unfriendliness of the tribunal. If the desire were for a friendly tribunal, let them alter the constitution of the tribunal, but not place trade unions outside the operation of the law. Not only was it done with no mandate, but with no precedent. No one could point to any instance in which Parliament had enacted that any class should be placed outside the operation of the ordinary law. Nothing approaching the invidious privilege it was now proposed to give had been ever before conferred on any class. Not only was it without precedent, but it was without principle. No right hon. or hon. Member had laid down any intelligible principle that could be universally applied by which it could be shewn to be right to place trade unions or any other class outside the operation of the law. The Attorney-General had drawn a distinction to the prejudice of the House of Lords between the Court of Appeal and the decision of the House of Lords in a well-known case He could not follow the hon. and learned Gentleman into those invidious distinctions. He had not much difficulty himself in choosing between the highly subtle and technical judgment which the House of Lords gave in the Taff Vale case and the wide principle which was laid down. Not only was the proposal in this Bill done without principle, but it was done in violation of every principle. It was done in violation of the two principles laid down by the House of Lords, which principles Parliament, in his judgment, would have done well to follow—first, that where there was an aggregate number of men recognised by law as owning property and employing servants they must be held responsible; and, secondly, a still more valuable principle, that there should be no exception to the liability of all individuals and all recognised legal entities for the wrongs they did by their servants. He was well aware that the passage of this Bill was a foregone conclusion, and that upon the Opposition Benches opinion was varied and divided upon the matter. For his part he felt honestly and deeply upon the great principle involved in this clause, much more than upon the effect it might have on trade unions or industrial disputes, and he could have wished that that great principle had found more authoritative, more adequate, and more frequent expression upon those Benches. He believed that the Government would be found in the end to have made a great sacrifice in this matter. They would be found to have sacrificed much in the way of consistency, much in the way of Liberal principles, without, in the end, receiving much reward, or having appeased or disarmed even for an hour the hostility of Socialism.

MR. A. J. BALFOUR said he could hardly let this debate come to a conclusion without saying a word on a subject which had so long engaged the attention of the House. It was inevitable that comments, not always of a favourable character, should have been made by Gentlemen on the Opposition side of the House as to the mode in which the Government had chosen to conduct this Bill and the rather violent altercations to which they had had from time to time to submit in the course of these debates. The Under-Secretary for the Colonies, in a strain of unconscious humour, had informed a great audience in Glasgow that, so far as this measure was concerned, the trade unions supplied the steam and the Government supplied the direction. He did not at all deny that the trade unions had supplied the steam, but he did not think that even the most favourable critic of the Government would suggest that the Government had supplied the direction. The Government had given with great ability arguments in support of a policy pressed upon them, but much as he admired the ability of hon. Gentlemen, he could hardly admire the navigating skill, the resoluteness of purpose, or the fixity of policy which had animated the Government since this Bill received its First Reading. They had heard two very interesting speeches this afternoon, one from the hon. Gentleman the Member for Walthamstow and the other from the hon. Member for Clitheroe. These two speeches really summed up the case for the Bill; and they employed arguments which, so far as they went, were not in his opinion susceptible of effective answer. He did not mean to say that on that account they were conclusive of the whole question, but the contentions advanced by the hon. Member opposite and the hon. Member for Clitheroe were, as far as he was aware, broadly speaking, true as far as they went. The first argument related to the condition of the law. It had been alleged constantly by the supporters of this Bill that as the law was thought to be left in 1875, so would the law be if this Bill were passed. He should imagine that in detail that statement might be susceptible of some doubt. There might be here and there some differences between the law as it would be if the Bill were passed and the law as it was thought to be under the Act of 1875; but, leaving those details on one side, he imagined it was true that the law which stood for nearly thirty years from 1875 was very much in the condition in which it would be left if this Bill were placed on the Statute-book. Unquestionably that fact, if it were a fact, as he thought it was, did raise a point of considerable difficulty, because they were asked, "Do you prefer the law as this Bill will leave it to the law as the House of Lords has declared it to be?" That was a plain question of high policy. But the question was this: "Do you think it necessary, do you think it right, to leave the law where the House of Lords has left it, but where it was not thought to be for thirty years, and where during those thirty years nobody has alleged it produced any very serious consequences?" The argument of the two hon. Gentlemen he had referred to was unanswerable so far as it went. He had listened in vain during these debates for any specific case in which harm was done by the fact that the law was supposed to be what it was going to be made. They, therefore, had not the plain issue before them which they would have if the Government had come forward and said, as an entirely new proposition, "We mean to ask you to make this change in the law." That was not what the Government had done. They had put a more complicated question. They had said, "The law has been thought to be of such a character for thirty years. It has been universally acted on by employers and employed for thirty years, and we ask you to restore it." The question was therefore of a kind he did not remember ever having heard debated in this House before, because there were cross-currents and difficulties raised by that double issue which rendered the position far more complicated than it would have been under more normal circumstances. That was the first point raised by the two hon. Gentleman. The second point was as to trade union funds, and it was on that that he believed there would be absolute unanimity in the public mind, though there might be great divisions of opinion as to how that opinion should be embodied in a statute. He went unsuccessfully through a general election in January last, and, like other members, for purely working-class constituencies, he was, of course, pressed a great deal on this subject. He certainly said nothing then which was inconsistent with any line he had taken in the House since, and he refused then to commit himself to agree to the restoration of the law as it was supposed to be after 1875. But he had always admitted, as he thought every man had to admit, that some modification of the conditions with regard to trade union funds must be carried out if they were to deal equitably with their property, which was not subscribed wholly, or mainly, for the purpose of carrying on trade warfare, but largely for a benevolent and most excellent object—that of providing for men out of work and when they were sick. The Government might possibly have enabled them to deal with that issue separately. The Bill might have been so framed that they could have accepted that part of it which protected trade union funds from this point of view, and considered in isolation and without prejudice any one of the changes they proposed to make in the law. But the Government had not so framed their Bill, and they were now face to face with the Bill in its last stage, which was the only possible method open to the

House for giving that protection which he believed everybody thought ought to be given to the benevolent funds of trade unions. The Government were responsible for placing the House in that dilemma. He thought they might have adopted a course which would have saved them from the difficulty of deciding whether they were to make a great modification of the law of England while seeking to protect trade union funds, or whether they should leave the law as it was. Therefore anybody who voted against the Bill not only voted against a modification of the law as to trade union funds, but placed those funds on their benevolent side in peril. He could not make himself responsible for that. He told his constituents that he would do everything in his power to see that the benevolent part of trade unions funds should be protected, but he confessed that the action of the Government had placed him in a very difficult position. The considerations put forward in the two speeches to which he had referred, though he thought that as far as they went they were unanswerable, did not relieve his mind of all the misgiving to which he had more than once given expression. If they got their whole idea not only of the present but of the future, from such speeches as that delivered by the hon. Member for Clitheroe, no one would have the slightest hesitation about dealing with trade unions or associations of employers. He thought there was no real immediate danger that there would be any serious abuse of any privileges which this House might give to combinations of either employers or employed. They had listened to a great many speeches, mostly conducted by lawyers on the Opposition Bill, and he did not think a single Gentleman had risen from the other side—and there were a large number of employers among them—to suggest that in their view there was any danger, so far as capital was concerned, attaching to the privileges which this law gave. He was told that there was great dislike of this measure among the employing classes. Then why did not that dislike find expression in the House? He could not believe they were under the impression that the responsibility which belonged to them should be laid on the shoulders of other people in another place. That was a policy so foolish and so mean that he would not for a moment suggest that it could be the policy of any body of opinion in this House. The House was aware that his remarks had quite as much reference to combinations of employers as to combinations of workmen. He did not like the idea of putting these great and growing associations in an exceptional position. When they got to this point they were apt to get into technicalities. He was not sure that there were not a large number of associations which were not corporations which were nevertheless perfectly capable of doing a wrong act in their corporate capacity and were not capable of being sued. He had heard the case argued from both sides and he did not think that was a desirable position. His objection, however, was quite outside technical and legal considerations. If was surely obvious that by this Bill they gave to combinations of employers and combinations of workmen enormous powers, and whether they were corporate or incorporate in the eye of the law, they were associations, capable, working in a single organised body, of following a policy which as an organised body they might have determined to pursue. He did not like great powers of that kind being given to any body of men without any power of making them answerable for the result of their action. He did not think it was possible to avoid dealing with the immediate and pressing difficulty of the trade union funds, because of the remote danger that might be in front of us, and which might be likely to menace us in the future. There were those who thought that trade unions had shown such self-control in the past, had so improved the relations between employers and workmen, that they had nothing to fear from them in the future. There were others who said with equal confidence that employers were showing more and more generosity and public spirit in their way of conducting business and that there was nothing to fear from any combination they might enter into. He hoped these things were true. He could not help having some doubts on the subject. His best hope was founded on the fact that Englishmen had on the whole shown themselves so far capable of exercising great powers with moderation. There was a natural good sense and moderation about the race in its corporate dealings which might be able to resist the temptation given even by a wide Act of Parliament. They had reached a stage in this discussion when it was only on such hopes that that they could rely. It was too late to change the Bill. It was too late to reject it. The Bill, as it had gone through must be, in his opinion, accepted. A great responsibility rested on the Government which introduced it. A great responsibility rested also upon the Party which had insisted on carrying it through in its present form. Still greater responsibility rested upon the trade unions of both men and masters as to how they would use these powers in the future. That they might use them with good sense, with justice and moderation, with all regard to private rights and private liberty, and with a wise consideration of those great trade interests in which masters and men were equally concerned, must be the prayer of every man in the House. He hoped that the sanguine anticipations of those who had pressed on this measure through all its stages into its present shape might not be disappointed by the actual progress of events.

SIR JOHN WALTON said the Government did not shrink from the responsibility which the right hon. Gentleman said attached to them, and they were quite prepared to press for the Third Reading, and afterwards to witness the practical operation of the Bill now before the House. But he might perhaps be allowed to ask the right hon. Gentleman what he thought was the responsibility resting upon him as the Leader of the Opposition, having regard to the methods by which this Bill had been resisted. The right hon. Gentleman had managed to retain to the very last moment the secret approbation with which he regarded the measure.

MR. A. J. BALFOUR: The hon. and learned Gentleman is mistaken. All I have said about trade unions and about making trade union funds safe, all my hopes and fears, have all been expressed to the House on previous occasions.

SIR JOHN WALTON said that certainly very few of these encouraging declarations escaped the right hon. Gentleman's lips while they were fighting the very active opposition of his Party on the various stages of this Bill. The right hon. Gentleman had preached the doctrine of consistency, but he would find it very difficult to reconcile what he had said during the course of the Bill with his declaration that he would not vote against the Third Reading. The right hon. Gentleman had accused the Government of being inconsistent. He would like to know why. The true complaint against the Government was that they left to the House the choice between two methods. If they were wrong in leaving that selection to the House, the proper moment for making the protest was when the House was invited to decide the question. If they were right in leaving the question to the House, why were they to be reproached because they accepted the opinions of the great majority of the House? He challenged any hon. Member to point to any dereliction of principle in the course the Government had adopted. He knew of no method more statesmanlike in dealing with a question of this kind than to ask the House to choose between a course which had the advantage of precedent and one which had some theoretical advantage, and when that choice was made between the one method and the other to accept the decision and act upon it. The notion that the great aims of statesmanship were to be sacrificed on account of some pedantic desire to protect the supersensitive self-esteem of Ministers was hardly worth a moment's consideration. As for himself, so far from shrinking under the abuse—for it had reached the pitch of abuse—which had been loaded upon him he should always look back with satisfaction to the time when he was able to use his influence in passing a piece of legislation which had been framed with such success that the Leader of the Opposition got up and said he was not going to vote against its Third Reading. The right hon. Gentleman had talked about the dictation of the Labour Party. He was present in the House when the hon, Member for Clitheroe Division rose and reminded the right hon. Gentleman that he was trying to destroy the great boon which the Conservative Party had given to the working classes in 1875, and from that moment he had noticed a significant weakening of the opposition to the Bill. The fourth clause, which was supposed to create this immunity for trade unions, was a clause which sought, and, successfully sought, to put into plain language the results of the settlement of the Liberal Party in 1871, which Lord Beaconsfield afterwards adopted in 1875. The right hon. Gentleman properly shrank from the reproaches which would be made in the country if his Party to-day should destroy the charter of Labour, the credit of which they had hitherto claimed. Did this measure, against the Third Reading of which the right hon. Gentleman would not vote, contain any dangerous innovation? Was there any startling revolution involved in its provisions? The law of conspiracy had the definition recommended to them for adoption by the Commission which the right hon. Gentleman himself appointed, and over which the Tory statesman, Lord Dunedin, presided. The definition of picketing followed the precedent of 1858 and 1875, and it certainly was as stringent in its present form as it was in the form in which the Government originally proposed it. As for the fourth clause, the right hon. Gentleman had made a most admirable speech in its support. For what had he said? He had said that in establishing the relationship of agency between the contributors to trade union funds and the persons who managed them we were resorting to a mere legal fiction which had no basis in fact. Thousands of individuals up and down the country contributed small sums to these funds—in some degree for benefit purposes and in some degree for fighting purposes—and the persons who managed those funds and who conducted the affairs of the union were not in any real sense of the term under the control or guidance of the contributors. Therefore, as the right hon. Gentleman had pointed out, there was a strong argument for saving those funds from being involved owing to the mistaken conduct of persons, who, though necessarily in positions of responsibility, were only agents in a purely technical or legal aspect. The right hon. Gentleman also pointed out that so far as the unions were not liable for actions for injunctions the Government were restoring the settlements of 1871 and 1875, because the essence of that settlement was the non-suability imposed on the character of these unions. They are not corporations. It was not intended they should be legal persons, or legal entities. But the responsibility of individuals was retained and against the individual the law was sharp. He trusted that the House had now taken part in a final settlement of this question. He thought all the elements which should be present in a final settlement had disclosed themselves during these debates, and were most conspicuous at this moment. The majorities in support of the Bill had been signal, and they were all the more striking when compared with the miserable fraction of support given to the Party opposite. He did not think it was a fact to be ignored that this proposal was cordially accepted by those in whose interest it was made, and surely a measure which was strongly supported in this House as a final settlement, accepted as such by the representatives of Labour on both sides, and not voted against on the Third Reading by its opponents, was a measure which might be sent to another place with a strong claim to be passed without amendment into law. He appealed to the Leader of the Opposition. He had influence elsewhere. He appealed to him to use that influence to prevent the rejection of this Bill. It was easy to destroy it. In an unreflecting moment the fabric which this House for some weeks had been engaged in erecting might be dashed to pieces. But sooner or later on the ruins that had been made the structure would have to be re-erected if this question was to be laid at rest.

*MR. BELL (Derby) said that as he was, he believed, the first victim who had brought about the decision of the House of Lords which necessitated this legislation he had some claim to say a word, and he hoped the last, in regard to this Bill. He had listened with great pleasure to the concluding remarks of the ex-Prime Minister, in which he admitted that the opposition which he felt to this Bill had largely diminished. He supported the appeal made by the hon. and learned Attorney-General that the right hon. Gentleman would use his influence in another place to insure the passing of the Bill. The conduct of the trade unions in the past when everybody believed they were free from the law was such that the right hon. Gentleman himself failed to find fault with them, and he need have no fear or apprehension that worse would happen in the future. The experience of the past ought to be some guide to what was likely to happen in the future, and should have encouraged the right hon. Gentleman to come to a conclusion in this matter, but during the last four years when he was in power he neglected to bring in any Bill to deal with it. In 1902 when the Labour Members endeavoured to obtain a Committee to investigate the decision of the House of Lords the right hon. Gentleman refused it. Since then the Labour Members had introduced a Bill every session, and he was pleased to see that the efforts had culminated in this Bill. He had no apprehension of the future. All the unions desired was that there should be fair play for them to fight the employers, and so far as individuals were concerned the law would punish them for any wrongful acts that they committed. That would be sufficient to prevent any individual members of the unions from doing harm to anyone. He trusted this Bill would come back from the House of Lords in the same condition as that in which it left this House.

Question put, and agreed to.

Bill read the third time, and passed.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of 4th August last.

Adjourned at two minutes before Five o'clock till Monday next.

HOUSE OF LORDS.

Monday, 12th November, 1906.

REPRESENTATIVE PEER FOR SCOTLAND.

The Clerk of the Parliaments delivered a certificate of the Clerk of the Crown, that the Earl of Rothes had been elected a Representative Peer for Scotland in the room of the Earl of Leven and Melville, deceased; certificate read.

PRIVATE BILL BUSINESS.

Clydebank and District Water and Burgh Extension Order Confirmation Bill. Brought from the Commons and read 1^{a}; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899), deemed to have been read 2^{a} (The Lord Hamilton of Dalzell), and reported from the Committee. (No. 213.)

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against—of inhabitants of the parish of Stone; of trustees of Church of England schools in the diocese of Salisbury.

Read, and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petition for Amendment of; of inhabitants of Petworth; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

AFRICA.

Correspondence relating to the preservation of wild animals in Africa.

BOARD OF EDUCATION (VOLUNTARY SCHOOLS TRANSFER).

Classified statement of cases in which the premises of voluntary schools subject to charitable trusts have been transferred since 1902 to local education authorities for valuable consideration.

BANKING, RAILWAY, AND SHIPPING STATISTICS (IRELAND).

Report for June, 1906.

INDIA.

Resignation of Sir J. Bamfylde-Fuller, K.C.S.I., C.I.E., Lieutenant-Governor of Eastern Bengal and Assam.

WAGES (STANDARD TIME RATES).

Standard time rates of wages in the United Kingdom at October 1st, 1906.

INEBRIATES ACTS, 1879 TO 1900.

Report of the Inspector under the Inebriates Acts, 1879 to 1900, for the year 1905.

Presented (by Command), and ordered to lie on the Table.

LABOURERS (IRELAND) ACTS, 1883 TO 1906 (LABOURERS (IRELAND) ORDER, 1906).

General rules for carrying into effect the Labourers (Ireland) Acts, 1883 to 1906.

WEIGHTS AND MEASURES.

Report by the Board of Trade on their proceedings and business under the Weights and Measures Acts.

INTERMEDIATE EDUCATION (IRELAND).

Rules and programme of examinations for 1908.

SUPERANNUATION.

Treasury minutes, dated November 2nd, 1906, granting a retired allowance to Francis Hancock, sorting clerk and telegraphist, Post Office, under Section 2 of the Superannuation Act; declaring that James Joy, labourer, Royal Gun Factory, War Office, was appointed without a Civil Service certificate through inadvertence on the part of the head of his department.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

TRADE DISPUTES BILL.

Trade Disputes Bill, brought from the Commons; read 1^{a}, and to be printed, (No. 212.)

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

VOLUNTARY SCHOOLS.

*THE LORD BISHOP OF WAKEFIELD: My Lords, I rise to ask the Lord President of the Council whether he will furnish details of representative cases in which voluntary schools held under charitable trusts have been transferred since 1902 to local education authorities for valuable consideration; showing in particular the amount of rent paid to the trustees per head of accommodation or average attendance, the character of the trusts in reference to the classification contained in the recent return of trust deeds, and the nature of the instrument under which the transfer was made.

My object in putting this question is a simple one. It is to have a little information before us as to the practice of the Charity Commission or the Board of Education in dealing with schools held under charitable trusts for educational purposes when they are purchased or hired by the local education authority. The whole question of trust deeds has been under review at the Board of Education, and the result has been a most valuable Return with a masterly preface. That preface makes an attempt to classify these trusts in regard to the amount of purely educational purpose contained in them. That attempt has been made with an ability and clearness which leave little to be desired. But it confesses on almost every page the fact that no classification can be scientific, as the trusts themselves are so infinitely various. I do not wish to go into the matter now, but, as precedents become important, it is well that we should have some information as to the lines hitherto followed by local education authorities and by the Board of Education. I am not asking for a complete Return on this subject nor for cases occurring before 1902, but for details of some representative cases. There has been a certain amount of local controversy on this subject, especially in Lancashire, where there is an apparent contrast between the treatment of Nonconformist schools and Church schools. It appears that the Lancashire County Council and the local education authorities of some of the Lancashire boroughs are spending considerable sums in the hire of schools, and it so happens that these schools belong chiefly to Nonconformist bodies. The Lancashire County Council, I am told, are spending about £2,000 a year for this purpose; the council of Accrington, £650; the council of Blackburn, £1,000; and the council of Darwen, £600. Some information, if it could be given, might allay this controversy, and be useful and reassuring to trustees and owners of schools elsewhere. Probably a few cases from Lancashire would be useful. Then the West Riding local education authority published terms of transfer and were anxious to get all voluntary schools to agree. It would be interesting to know how many schools were transferred under this general agreement. The most rev. Primate said the other day that rent was a comparatively unimportant matter, in view of the far greater issues affected by this Bill. Quite true. But most of our Church of England trusts are inseparably bound up with religious teaching, and cannot be divided without the main idea of the trust being destroyed. It is important to provide for the main object, and in some cases rent would be the proper mode of making that provision. I believe we are in just hands in our great State Departments. But it is often a help even to them to have certain principles laid down expressly; and if it were understood that in the case of these schools held under charitable trusts the rent was to be applied in accordance with the trust deed for the specific religious teaching intended by the original donors, it might both allay some uneasiness in certain quarters and assist towards an amicable adjustment of what are often burning questions in the localities concerned.

THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): My Lords, we are very happy, as far as possible, to meet the wishes of the right rev. Prelate. I hope that a Return which I trust will, in the main, meet his wishes, will be ready to be laid on the Table by Wednesday, or, at any rate, by Thursday. In these circumstances I am sure the right rev. Prelate will forgive me if I do not follow him in the matters of detail which he mentioned. If, however, at a later time he wishes to raise any point on the Return as it appears, I shall be very happy to deal with it.

THE CHINESE COMPOUNDS.

THE LORD ARCHBISHOP OF CANTERBURY, who had given notice, "To ask the Secretary of State for the Colonies whether he is in a position to furnish any information respecting the result of investigations as to the prevalence of vice in the compounds occupied by Chinese coolies in the Transvaal," said: My Lords, I placed this Question on the Paper because the matter seemed to me to be of extreme urgency, and I wished to put it at the earliest possible date, but I have received a courteous request, of which I perfectly understand the grounds, from His Majesty's Government, that the Question should be postponed owing to the importance of proceeding with the Education Bill. I, therefore, do not propose to ask the Question now, but to postpone it to the earliest possible date on which I can take it without interfering with the debate on the Education Bill.

THE LORD PRIVY SEAL (The Marquess of RIPON): I should like to be allowed to tender my thanks to the most rev. Primate for having withdrawn his Question at the present moment.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to Order.)

[THE Earl of ONSLOW in the Chair.]

VISCOUNT LLANDAFF had the following new clause on the Paper in place of Clause 7, which the Committee struck out on Thursday last, viz. :—

7.—(1) The obligation of a parent to cause his child to attend school shall, notwithstanding any by-law, include an obligation to cause the child to attend at the schoolhouse during the portion of the school hours allotted to any religious observance or to instruction in religious subjects. Provided that the local education authority and the managers shall provide during the time so allotted for children who are withdrawn by their parents from any such observance or instruction some form of secular instruction, and that a parent shall not be subject to any penalty under this section for not causing his child to attend the schoolhouse during any time so allotted, if he shows to the satisfaction of the court that he has caused his child during that time to attend some form of religious observance or instruction elsewhere.

(2) In all schools in which elementary instruction is given, there shall be a parents' committee elected and nominated as provided in subsection (4) of Section 4 of this Act, with the same responsibility for and control of the religious instruction given in the school. The appointment of teachers in the school shall be made by the local education authority upon the nomination of the parents' committee, whose nominees shall not be rejected except on educational grounds. If the parents' committee represent to the local education authority that the continued presence of any teacher in the school is objected to by the majority o the parents of children attending the school on grounds connected with the giving of religious instruction in the school, the local education authority shall dismiss the said teacher, or as soon as practicable remove him to another school. The religious instruction given in the school shall, as regards its character, be in accordance with the provisions (if any) of the trust deed relating to the school, and nothing in this section shall affect any provision in a trust deed giving to any ecclesiastical or denominational authority the power of deciding whether the character of the religious instruction is or is not in accordance with the provisions of the trust deed.

(3) The members of the parents' committee shall have access to the school house at all times.

(4) Vacancies in the parents' committee, caused by death, resignation, or other cause shall be filled up by election by the parents of the children attending the school, or by nomination by the owners of the schoolhouse and by the local education authority in the same manner as the original appointment was made.

(5) The right of the owners of the schoolhouse to nominate one member of the parents' committee, and to nominate his successor in case of a vacancy, shall apply only to the case of a school not provided by the local educational authority.

In moving the insertion of this new clause the noble Viscount said their Lordships on Thursday resolved by a large majority to strike out Clause 7. That decision was arrived at, he was happy to say, with the concurrence of many members on the Government side, no less an authority than the noble Marquess the Leader of the House as well as Lord Reay voting in favour of the striking out of the clause. The question now arose, what would their Lordships substitute for it? The first paragraph of his Amendment was almost identical with the Amendment which was proposed in the House of Commons and rejected by a majority of only sixteen votes. There was, however, one change made in the Amendment as it stood in his name on the Paper. An additional guarantee was given to the parent who objected to the religious instruction given in the school in that he might escape all penalties for the non-attendance of his child by showing that the child had had religious instruction elsewhere during the period of the religious instruction in the school. With that simple addition, which was a further protection to a dissenting parent, the clause was identical with the one proposed in the House of Commons.

The second paragraph of his Amendment was, in short, a proposal to establish a parents' committee in all schools. Their Lordships, with the consent of the Government, had already sanctioned the creation of a parents' committee in Clause 4 schools, and he was at a loss to see any reason why this privilege should not be extended to the other schools. Clause 3 schools more or less resembled Clause 4 schools; they were not purely denominational schools but mixed schools with denominational education on each morning of the week and Cowper-Temple instruction given simultaneously in the school ——

*THE MARQUESS OF LANSDOWNE: I am sure the noble Viscount will forgive me for asking whether it might not be convenient to deal separately with these two subsections; they are quite different, and I am afraid that if we debate them both at once some difficulty may arise.

THE EARL OF CREWE: I am quite in agreement with what the noble Marquess has suggested. I think it would be better to take the discussion on the first subsection of the noble Viscount's Amendment and on the Amendment of Lord Clifford of Chudleigh. They are identical in purpose, though slightly different in form.

VISCOUNT LLANDAFF said he was quite willing to assent to this course. With regard to the first paragraph, it had been pointed out to him that some difference of opinion might arise in consequence of the use of the words "religious observance." He was willing to strike these words out if they were objectionable. He begged to move the first paragraph of his Amendment.

Amendment moved—

"On page 6, after Clause 6, to insert, '7.—(1) The obligation of a parent to cause his child to attend school shall, notwithstanding any by-law, include an obligation to cause the child to attend at the schoolhouse during the portion of the school hours allotted to any religious observance or to instruction in religious subjects. Provided that the local education authority and the managers shall provide during the time so allotted for children who are withdrawn by their parents from any such observance or instruction some form of secular instruction, and that a parent shall not be subject to any penalty under this section for not causing his child to attend the schoolhouse during any time so allotted, if he shows to the satisfaction of the Court that he has caused his child during that time to attend some form of religious observance or instruction elsewhere."—(*Viscount Llandaff.*)

LORD CLIFFORD OF CHUDLEIGH submitted his proposed new Clause in the following terms:—

"In page 6, after Clause 6, to insert the following new clause:—'The obligation of a parent to cause his child to attend school shall, notwithstanding any by-law, include an obligation to cause the child to attend at the schoolhouse during any time allotted to any religious observance or to instruction in religious subjects during the hours for which the schoolhouse is used for the purposes of a public elementary school. Provided that the local education authority shall provide during the time so allotted for any children who are withdrawn by their parents from any such observance or instruction some form of secular instruction, and that a parent shall not be subject to any penalty under this section for not causing his child to attend the schoolhouse during any time so allotted, if he shows to the satisfaction of the Court that he has caused his child during that time to attend some form of religious observance or instruction elsewhere.'"

He said his Amendment had practically the same object as that moved by the noble Viscount. It was an Amendment which had been alluded to constantly in the debate, and, as regarded the first part of it down to the word "instruction," it was the same as the Amendment which was moved in the House of Commons and rejected by a majority of only sixteen. It was moved by a Nonconformist and supported by members of the Church of England and by members of his own Church. The second part was an Amendment which was put down on the Paper, but not divided upon in the House of Commons, and for which he thought he might claim the support of the noble Earl the Lord President of the Council, for the noble Earl himself had said that the object they very naturally desired was that it should be possible to take children away for religious instruction elsewhere than in the school. The point of the Amendment was practically this. The Anson by-law, even where adopted, was found to make very little difference in the system carried out before. The noble Earl had explained to the Committee that under the Act of 1870 very few prosecutions were ever taken; and for this obvious reason, that a defence was liable to be set up that children were taken away on the ground of objection to religious teaching. It was notorious to anyone who had had much to do with elementary education that the tendency was for the Anson by-law to be made use of by parents whose desire to remove the child was not actuated by any objection to the religious instruction given, but by a wish to employ the child in some profitable or convenient way. He thought the Amendment standing in his name on the Paper safeguarded in every way necessary the right of the parent to remove his child from a form of religious instruction to which he objected, and got rid of the risk of the facilities being used for purposes which the law did not intend, and with which he was sure none of their Lordships sympathised.

*THE LORD BISHOP OF HEREFORD had given notice of the following new clause to take the place of Clause 7:—

"In all public elementary schools in which extended facilities for special religious instruction have not been given biblical instruction in accordance with Section 14 of the Elementary Education Act, 1870 shall be given during the hours of obligatory attendance to all children whose parents do not make application for their withdrawal from such instruction, secular instruction being provided for all children thus withdrawn and not receiving religious instruction of a special character under Section 3 of this Act.

He thought, notwithstanding the proposal of the noble Viscount, that his Amendment was the only practical corollary to the Amendment carried on the first clause of the Bill. As was said at the time by the noble and learned Lord Chancellor, that Amendment was not business exactly, and in that the noble and learned Lord expressed a natural view. If that Amendment were left without something supplementary, it could not be said to be business. It was stated, in the course of the discussion, that the Amendment which had been tacked on to the first clause really amounted to the waving of a flag. That was so, and unless they did something more in the matter they would be simply waving the flag and leaving it behind them without any directions how it was to be carried.

They had three proposals before them for dealing with this matter. Another solution was adumbrated by Mr. Chamberlain in the other House, but it was merely an adumbration. Mr. Chamberlain himself had confessed that the scheme which he had in his mind had failed in Birmingham, so that they might look upon it as not practically before them at this moment. He was aware that a good many persons were inclined to support Mr. Chamberlain's solution; they contended that the Churches ought to undertake the religious education of the children; but that was a very different thing from saying that the Churches could or would undertake it. There was no real hope of the Churches undertaking the whole of this work, until we come to the millenium, so that as things were constituted, he did not think there was any prospect of the Churches undertaking to carry the whole of this burden. If they were to adopt such a scheme as that adumbrated by Mr. Chamberlain, his belief was that they would have in the great cities—he had no doubt that in country places they could meet the matter somehow—thousands upon thousands of derelict children who would be brought up without any religious instruction, and he did not think they ought to face that very dangerous alternative. That was why he put aside that interesting suggestion.

Of the three Amendments standing on the Paper, he hoped their Lordships would prefer his Amendment to the other two. They understood the other night from the noble Marquess the Leader of the Opposition that he inclined towards the Amendment of Lord Clifford of Chudleigh, but he (the right rev. Prelate) ventured to think the noble Marquess possibly had not realised all that was comprised in that Amendment. For his part he could not imagine its being accepted as a working solution of the difficulty. The Amendment of the noble Viscount on the cross benches contained exactly the same inherent defect. The radically defective part of those Amendments, as he understood the matter, was that they proposed that parents should be at liberty to take their children away from school during the hours of religious instruction, provided they showed that they were receiving religious instruction elsewhere. That would mean that in any parish groups of children might be abstracted from the school during the hours of religious instruction to be carried off for this or that instruction or service elsewhere, and he thought it quite unreasonable that local authorities, managers of schools, and teachers should be subjected to that state of things during school hours.

From the point of view of the noble Viscount and of Lord Clifford he failed to see the necessity of this provision. The noble Viscount and the noble Lord were specially interested in schools which had extended religious facilities. Why should they desire a clause of this kind, which would not affect their schools, but would affect other schools with which they professed no immediate concern? When they came to the other class of schools all the awkwardness of the proposal became apparent. He ventured to think that if they passed either the noble Viscount's Amendment or the Amendment standing in the name of the noble Lord opposite, they would raise a storm of objections in many quarters throughout the country, because under the clause proposed a parent would be at liberty to make these outside arrangements, and behind this plausible suggestion they had the plain fact that in nine cases out of ten the arrangement would not be made by the parents but by priests or clergy. What would really happen would be that someone interested in some particular form of denominational instruction or service, would canvass a number of parents, and get their permission to withdraw children and take them either to church or chapel. Such an arrangement would tend to disorganise the life of the school quite unnecessarily, and would not be for the real good of the children.

He hoped that when their Lordships voted they would not do so under any misconception. If the suggested new clause became law, a ritualistic clergyman, very earnest possibly, and very devoted to the good of his people, as he conceived it, might on Saints' days and on other days, some not recognised by the Church of England, take these children during the half hour to church instead of giving them religious instruction in the school. He was certain, if this liberty was allowed, that in many cases children would be taken to church, and possibly to the childrens' Eucharist, and to hear Mass. He was speaking of what was very probable. They ought to realise what they were doing, and how the country would take it. Some time ago, being away from home and in a city in the midst of a great population, he went to Sunday morning Communion at eight o'clock, and as he was proceeding into the Church he was kept waiting while a band of little children, escorted by some good ladies, were taken in and placed in the nave to witness that Communion. That was just what would happen on school days in an indefinite number of cases if they passed either the Amendment standing in the name of the noble Viscount or the Amendment tabled by the noble Lord opposite. On that ground he asked their Lordships to leave those two Amendments alone. He contended, on the other hand, that his Amendment was thoroughly practicable, and met all the requirements of the case in an equitable manner.

They would have, first of all, the schools with extended facilities; those were provided for, so that his Amendment left them alone. Then they would have the transferred schools, in which the children of all parents who so desired would enjoy the ordinary facilities. There would remain the rest of the scholars in these and other schools which would comprise the great mass of the children throughout the country. To this great proportion of scholars, with which his Amendment dealt directly, Cowper-Temple Bible teaching would be offered, as it had been during the past thirty-six years, to all children whose parents did not withdraw them from it. He ventured to think that the bishops and clergy ought to be satisfied with that, now that it had come to be quite generally understood that Cowper-Temple teaching might and would in most cases include not only the Lord's Prayer, and the Ten Commandments, but everything that was comprised in the Apostles' Creed, which was the creed of Christendom and not of this or that denomination. Bearing this in mind, he felt that noble Lords might very well be satisfied with the arrangement he suggested for the great bulk of the children whose parents were content with it. Then his Amendment provided that for those children who were withdrawn *bona fide* secular instruction should be given at the same time.

His Amendment met all the practical requirements of the case, and he knew of no other solution which was likely at once to satisfy the general sentiment of the country and to save them from drifting into a system of secular education. The establishment of a secular system would, to his mind, be a deplorable result, seeing that it was the multitude of little children who would suffer. He had voted in favour of making the offer of some religious instruction compulsory in all schools because he held that it was the duty of the State to give the best available education to all children, and he was convinced that they could not give the best available education if they closed the Bible in the schools. On the other hand, he did not see how it was possible for them, as a practical working arrangement, to go beyond the kind of choice which was set forth clearly in his Amendment. He therefore hoped he might carry the sentiment of their Lordships on both sides of the House with him in favour of his Amendment.

THE EARL OF HALSBURY said there were now three competing Amendments before their Lordships, and he thought it would be a little difficult to vote upon them without knowing what the Amendments were. In the first place, he would like to ask Viscount Llandaff whether he would be willing to strike out the words "religious observance," which might give rise to considerable difficulty.

VISCOUNT LLANDAFF: Yes, I am quite willing to omit those words.

THE EARL OF HALSBURY: I presume the same course will be taken by Lord Clifford of Chudleigh.

LORD CLIFFORD OF CHUDLEIGH: Yes.

VISCOUNT ST. ALDWYN said it must be admitted that this was a matter of considerable difficulty. He could quite understand that the noble Earl the Lord President of the Council might be disposed to tell them that, by the proviso they were attempting to negative what they did on Thursday last, but he did not think Lord Crewe would raise any objection to the first part of the Amendment, which simply enacted that children should attend school during the time of religious instruction, and that if they were withdrawn by their parents from such religious instruction they should have some form of secular education to replace it.

The difficulty seemed to him to occur when they came to the proviso, which would enable a certain number of children to be exempted from the rule which the Committee had by a very large majority accepted, that all children should attend the school during the hours of religious instruction. He confessed that he felt some little difficulty about that proviso. It seemed that any parent under it might withdraw his child from the school, thus injuring the discipline and regular arrangement of the school, and if the school authority prosecuted him for the non-attendance of his child the posibility would arise of his obtaining exemption by showing that the child had obtained religious instruction elsewhere. Therefore the offence, if it was one of non-attendance, would have occurred and might be committed in many cases without any remedy for it at all.

But, on the other hand, there was this difficulty. He understood from what the noble Earl had told them the other day, that up to the date of the Anson by-law it was the rule, generally speaking, that children should attend during the hours of religious instruction. But as no prosecutions for non-attendance were carried out that rule was often evaded. Obviously that was a difficulty and one which he thought the noble Earl would admit. The Anson by-law enabled the parent after giving written notice to withdraw his child from the religious instruction with the very natural result that parents gave the notice and the child did not attend any religious instruction at all. He thought their Lordships would agree that in neither case was the result satisfactory.

Why was it that there were no prosecutions for non-attendance under the old rule? Surely because it was felt by the school authorities, at any rate in the case of the provided schools, that where no definite religious instruction was given there was a valid excuse for non-attendance when religious instruction of a denominational character was given elsewhere. Therefore they did not like to prosecute. That was a difficulty which he thought His Majesty's Government ought to meet in some way. It was useless having a rule that could not be enforced; it was worse having a rule that was played with like the Anson by-law. Viscount Llandaff had suggested that they should meet the difficulty by the proviso in his clause. He did not know whether the noble Earl could overcome the objections to that proviso which had been placed before the Committee by the right rev. prelate the Bishop of Hereford; but, if he could not, he hoped he would be able to suggest some means by which it would be possible for the parents of children attending what had hitherto been called provided or board schools to withdraw their children *bona fide* for religious instruction elsewhere.

So far as he could see, the difficulty would only arise in the case of children attending provided schools. It would not arise in the case of extended facilities schools. He did not think it need arise in schools under Clause 3, because they would have for a certain time in the week denominational instruction for the children who desired it. But there would be a grievance if nothing were done in the case of children whose parents desired that they should obtain denominational instruction which they could not obtain in council schools. Therefore, he hoped the noble Earl, if he could not accept this proviso, would suggest some means by which the grievance might be remedied.

THE EARL OF CREWE: My Lords, the noble Viscount who has just sat down has stated with great clearness the effect of these Amendments. If the clause were simply struck out things would remain as they are, and the Anson by-law might be brought into operation in the district of any local authority. But the noble Viscount and the noble Lord opposite desire to make attendance compulsory during the religious hour, subject to the very important proviso attached to each clause. The objection which I took to the striking out of our Clause 7 I am, of course, bound to take to the first part of these proposed clauses. The words in these clauses do nothing to meet the difficulty which, as I said, was the final bias which kept me in favour of the clause in our Bill, namely, the importance of preserving a real and effective conscience clause.

As the right rev. Prelate the Bishop of Hereford pointed out with great force, there might be a number of cases in which the proviso under which children could be taken off to church might make it exceedingly difficult to exercise the conscience clause in favour of certain children belonging to the Church of England. That, I think, cannot be disputed, and it seems to me rather to accentuate the attack on the conscience clause which, as I believe, was made by the striking out of our clause as it stood. The noble Viscount stated very correctly the fact that prosecutions had not been instituted for children absenting themselves during the religious hour, and he ascribed it to the fact that authorities were not willing to prosecute when there might be a possibility, or even a presumption, that children had been withdrawn for religious instruction elsewhere. That might have been the case in some instances, but I am inclined to think that the lack of prosecutions was generally founded on a very different sentiment, namely, a dislike to fine people for not sending their children to religious as distinguished from secular instruction, and my belief is that, if the clause is carried, including the proviso under which a parent is allowed to escape penalties by proving that his child has been to church, the unwillingness to prosecute will be still stronger. My impression is that authorities will not be eager to prosecute, but that, if they do, and parents are brought before an average bench for not having sent their children to church—for that is the way the matter would be put—in a great many cases the magistrates, if they feel themselves obliged to convict, will inflict merely a nominal penalty.

Your Lordships must remember that anything like a compulsory attendance at church or any form of religious observance—even though noble Lords strike out the word "observance" I do not feel entirely confident that something in the nature of a service would not naturally form part of this religious time—anything in the nature of compulsory attendance at a religious building for this purpose is distasteful to the minds of our fellow-countrymen. There is a further difficulty, that it is very hard to say under the clause as it is worded what could be taken as an excuse. If a parent kept his child at home and said that he had been going through some form of religious instruction, would that be taken as an excuse under the words of the clause as they stand? In fact, I think that this is, if I may say so, an Amendment designed to meet the peculiar conditions of the Church to which the noble Viscount and the noble Lord belong; it would work quite easily in their instance, but I do not think it would work with anything like the same ease as regards the Church of England.

The right rev. Prelate behind me has an alternative suggestion which is not, perhaps, strictly germane to the discussion, but which at the same time, by the rather courteous practice of this House, it is well to say something upon. For I take it that if the noble Viscount's Amendment is carried the right rev. Prelate's will go out, and, therefore, perhaps I may be forgiven if I say a few words upon it now. I have to say that we could not accept that Amendment for the same reason that we could not accept the Amendment to Clause 1. There is no definition of Biblical instruction—at least I have never seen one—and we come back to the question of the Board of Education syllabus and all those matters which, as noble Lords may remember, we discussed at great length on Clause 1. But it is upon that ground, the impossibility of giving a definition, especially in the case of a local authority not disposed to enter into the spirit of the right rev. Prelate's Amendment, that I think as practical men, we could not agree to his Amendment any more than to those of the other two noble Lords.

VISCOUNT HALIFAX pointed out that the provision in the clauses proposed by Viscount Llandaff and Lord Clifford of Chudleigh affected many others besides the members of the Roman Catholic Communion. He had had experience of this in his own neighbourhood in Yorkshire, where the local education authority refused to allow members of the Church of England to withdraw their children for religious instruction on certain days and insisted on the children attending school, the parents being exposed to fines because they insisted on their right to withdraw their children. He supported the clause as suggested by Viscount Llandaff.

LORD STANLEY OF ALDERLEY said it would be a great mistake to suppose that the Amendments now before the Committee were consequential upon the Resolution passed at their last sitting. What the Committee did on Thursday last was to negative a proposal in the Government Bill that henceforward the only range of obligation to attend school should be during secular instruction. The law up to this time had been, and the law at this moment was, that the obligation to attend school was during such time as the local authority might define in its by-laws. In fact, owing to the Board of Education having drawn up certain model by-laws, which had been generally accepted, as far as he knew, the by-laws in force throughout the country made attendance at school compulsory during the whole time a school was open, so that, not by the operation of the Act of Parliament, but by the operation of the by-laws framed by the local authorities on the advice of the Board of Education, the obligation to attend school extended over the whole period of the school hours.

A mistaken explanation had been given of the reason why parents had not been summoned for the non-attendance of their children during the Scripture hour. The almost universal practice had been to mark the register after the religious instruction and immediately before the commencement of secular instruction. In fact, when Lord Cross's Commission obtained returns from a very wide area, they found—and this was more the case in Church schools than in board schools—that the practice was only to mark the register after religious instruction. In many cases the register was marked twice, before and after religious instruction, and the solitary case he knew of where the register was marked only once and that before religious teaching was that of the school board for Liverpool, who, in the interest of punctual attendance, determined that they would only have one mark and that before religious teaching. But Liverpool stood quite isolated in that respect. As their Lordships would see, if a child was marked on the register as present it would be idle to go before a magistrate to get the parent fined for the child's absence. The local education authority could not produce a register on which a child was marked as present and ask the magistrate to fine the parent on the ground that the child was absent.

The reasons for the course taken in the marking of the register were two-fold. The principal reason was that no local authority or private manager wished to lose a material part of the school income, namely, the Government Grant, and if the local authority had closed the register soon after nine o'clock, the child, although allowed to come in afterwards for secular instruction, would not have appeared as in attendance; consequently the average attendance would have been pulled down and the grant diminished. The Government did not require, as a condition of its grant, that there should be any attendance beyond the period devoted to secular education, and they were prohibited from employing their inspectors in looking into or examining the religious instruction.

If there was to be any compromise or modification of the Bill with a view to its passing—and he must say the prospect seemed to be fading into the distance as he saw the long roll of Amendments that had been carried—if there was to be any chance of peace in this atmosphere of turmoil, it would be well to save one or two points on which there might be an approach between the two Houses. If the House were content with having struck out the clause the law would be left as it stood at present, whereby under the by-laws there was a legal obligation to attend the whole time the school was open. But it rested in the discretion of the local authority, and he thought would still rest with them even if they passed either of the Amendments now proposed, whether they should summon the parent, if they satisfied the Board of Education by marking the register, as they had almost invariably done, after as well as before the Scripture lesson and earning the grant on the children who came late.

He thought the only effect of passing the first part of the Amendment would be slightly to amend the Act of 1870 and to make obligatory school attendance co-extensive with the whole time the school was open. If they said that the children who were sent to religious observances elsewhere should be excused but those who were not sent to religious observances should not be excused, they were bringing in the secular arm to enforce some religious observance. To put that in the Bill would be to inflame opinion and to widen the breach between the two Houses. He did not give up all hope, and he would be glad if the points of difference between them were minimised, so that there might be a chance of something coming out of the protracted work of the session. It was because he felt that this Amendment would increase the difficulty that he opposed it. In his opinion the right rev. Prelate's Amendment was more objectionable than the one immediately before the Committee.

LORD AVEBURY said the proviso to subsection (1) of the proposed new clause contained two propositions. The first was that if a child was withdrawn from religious instruction he should have secular instruction. He had heard no objection to that provision. He thought it would meet the objections that had been raised if the second provision was omitted. He therefore proposed to move to leave out all the words from "secular instruction" to the end of the subsection. It could not then be said that the arm of the State was being employed to compel children to attend any form of religious instruction; and the earlier part of the Amendment, which seemed to him to be of very great importance, would still remain. He was afraid that parents who wished to make use of their children for other purposes would give the excuse that they were withdrawing them for religious instruction. The earlier part of the noble Viscount's Amendment was an important improvement of the Bill, and he hoped it would be carried.

THE LORD BISHOP OF SALISBURY believed the true solution of the whole difficulty was in the direction of Lord Balfour of Burleigh's Amendment, which had been withdrawn. This Amendment went a long way in the direction of Lord Balfour's proposal, and he hoped that it would be accepted.

THE LORD BISHOP OF BIRMINGHAM said that in a great many places there was no convenient place outside the school house where the children could be instructed, and if they were not instructed in the school-house they would not be instructed at all. He hoped that this Amendment would be passed in substance. He thought they were bound by their action in omitting the Government clause to put in some clause making attendance during the time for religious instruction of some kind obligatory. The Bishop of Hereford had quoted Mr. Chamberlain as having said that his particular scheme had been a failure in Birmingham, but the right rev. Prelate had omitted to mention that Mr. Chamberlain added that it had never had a fair chance. He did not think that matter was now under discussion, but, undoubtedly, the scheme in Birmingham, so far as it was worked, was worked in such a subsidiary manner that it never had a fair chance. What was necessary in framing an Education Bill was to have regard to the strong feeling existing in the country that religious instruction should be given, and it would be a real interference with religious sentiment if that feeling was not met.

*THE MARQUESS OF LANSDOWNE: My Lords, my noble friend Lord Stanley held out to us what he evidently intended as an olive branch. I wish we could grasp at it, but it does not seem to me to meet sufficiently the requirements of the case. So far as I could understand him, he would leave these matters to the decision of the local education authorities. We cannot exclude from consideration that there may be local education authorities who take what we should regard as a perverse view of such questions.

And let me remind the Committee that in regard to what I would almost call the main question, whether or not, opportunities are to be provided for religious instruction in these elementary schools we have not left it to the local education authority to decide; for the Amendment which your Lordships have already inserted in Clause 1 stipulates clearly that a part of the school hours of every school shall be allotted to religious instruction. Is it unreasonable, in those circumstances, for us to go on to say that every child must be present at school during that portion of time? We say that, of course, subject to the condition that the parent is free, for conscientious reasons, to withdraw his child from religious instruction.

We further stipulate that if he does so the child is not to be allowed to idle about in the street or to play marbles. Then comes the concluding stipulation, that if religious instruction of the kind desired by the parents can be obtained within easy reach of the school the parent shall not be liable to any penalty if he withdraws his child from school and allows him to receive elsewhere the particular form of religious instructions which he prefers. That seems to me to be a logical and reasonable proposal; but I must say I agree with what was said by my noble friend Viscount St. Aldwyn when he pointed out that the clause as now drawn is perhaps open to the criticism that it makes it almost too easy for parents to take advantage of the concluding words of the Amendment and to take their children away on the plea, which might not be a perfectly honest one, that they would receive religious instruction in some other place.

Let me, however, protest against the manner in which we have been told during this discussion that the child could be taken away from school in order to go to church. There is no question of that, because my noble friend Viscount Llandaff has taken out of his Amendment the words "religious observance." Therefore, if the child is taken away at all he is taken away in order that he may receive religious instruction and religious instruction only. I suggest that, in order to meet the criticism of my noble friend Viscount St. Aldwyn, it might be possible to limit the proviso in such a way as to make it apply only in cases where no facilities for special religious instruction are afforded under the Act. That would considerably limit the risk which my noble friend has in view, and if some such words as those were acceptable to His Majesty's Government I should be very glad to vote for them. The matter is one for them to consider rather than for us.

VISCOUNT LLANDAFF said his Amendment appeared to him to follow necessarily from the Amendment to Clause 1 and the excision of Clause 7. He had not the remotest idea in moving his Amendment of forwarding the interests of his own religious community or of any other community in particular. It was put down with the object of giving additional protection to the parent who objected to the kind of religious instruction given during the period allotted, and to free him, if he could prove that his child was receiving religious instruction of the kind he liked elsewhere, from any penalty in respect of non-attendance at the school. Lord Balfour's Amendment had a much wider scope and met the demand which their Lordships still had to meet—the protection of minorities in all cases. His Amendment was simply a limited exception to an obligation imposed on the parent, and was not in the interest of any particular religious denomination, but in the interest of all. As to the Bishop of Hereford's Amendment, he could not see that it was at all germane to the purpose of his Amendment. In the first place, the right rev. Prelate's Amendment only applied to Clause 3 schools and council schools. In the case of those schools the right rev. Prelate insisted that Cowper-Temple instruction should be given by the local authority during the time allotted to religious instruction. That was taking away the option which the local education authority at present had of giving instruction of that kind or not as they thought fit. It was a further tieing up of the liberty which the local education authority exercised under the law as it now stood.

*VISCOUNT ST. ALDWYN asked his noble friend Lord Avebury whether his objections to the proviso would be met as his own would be, by the insertion, according to the suggestion of the noble Marquess the Leader of the Opposition, after the word "that" in the ninth line of Lord Llandaff's Amendment, of these words, namely—

"In the case of schools in which no facilities for religious instruction of a special character are afforded under this Act;"

thus confining the operation of the proviso to what had hitherto been called board schools.

LORD AVEBURY said his objection was largely suggested by the remarks of the noble Viscount. He had hardly had time to consider the words now proposed, but he had such respect for the noble Viscount's judgment that he was willing to accept them.

THE LORD BISHOP OF SALISBURY thought it would be better to leave the words as they stood.

THE CHAIRMAN OF COMMITTEES: I understand that the noble Viscount desires to omit from his Amendment any reference to "religious observance"?

VISCOUNT LLANDAFF: Yes.

THE CHAIRMAN OF COMMITTEES: Then I will read the Amendment as I understand the noble Viscount moves it—

"To insert the following new clause: '7. The obligation of a parent to cause his child to attend school shall, notwithstanding any by-law, include an obligation to cause the child to attend at the school-house during the portion of the school hours allotted to instruction in religious subjects; provided that the local education authority and the managers shall provide during the time so allotted for children who are withdrawn by their parents from any such instruction some form of secular instruction,—'"

Is that the form in which the noble Viscount desires to move his Amendment?

VISCOUNT LLANDAFF: Yes.

On Question, "That those words be there inserted," their Lordships divided. Contents, 151; Not-contents, 43.

CONTENTS.

Canterbury, L. Abp.
York, L. Abp.

Norfolk, D. (*E. Marshal.*)
Devonshire, D.
Grafton, D.
Newcastle, D.
Northumberland, D.
Richmond and Gordon, D
Sutherland, D.
Wellington, D.

Abergavenny, M.
Bath, M.
Bute, M.
Camden, M.
Lansdowne, M.
Salisbury, M.

Albemarle, E.
Ancaster, E.
Ashburnham, E.
Cadogan, E.
Camperdown, E.
Cathcart, E.
Cawdor, E.
Clarendon E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Eldon, E.
Feversham, E.
Graham, E. (*D. Montrose.*)
Halsbury, E.
Hardwicke, E.
Ilchester, E.
Jersey, E.
Mar and Kellie, E.
Morley, E.
Munster, E.
Nelson, E.
Northbrook, E.
Onslow, E.
Pembroke and Montgomery, E.
Plymouth, E.
Saint Germans, E.
Scarborough, E.
Shaftesbury, E.
Stamford, E.
Vane, E. (*M. Londonderry.*)
Waldegrave, E. [*Teller.*]

Wharncliffe, E.
Yarborough, E.

Bridport, V.
Churchill, V. [*Teller.*]
Colville of Culross, V.
Falkland, V.
Falmouth, V.
Halifax, V.
Hill, V.
Hutchinson, V. (*E. Donoughmore.*)
Knutsford, V.
Llandaff, V.
Ridley, V.
St. Aldwyn, V.

Bangor, L. Bp.
Birmingham, L. Bp.
Bristol, L. Bp.
Exeter, L. Bp.
Lincoln, L. Bp.
Liverpool, L. Bp.
London, L. Bp.
Oxford, L. Bp.
St David's, L. Bp.
Salisbury, L. Bp.
Southwark, L. Bp.
Wakefield, L. Bp.
Winchester, L. Bp.

Abinger, L.
Alington, L.
Alverstone, L.
Ampthill, L.
Ardilaun, L.
Ashbourne, L.
Ashcombe, L.
Atkinson, L.
Avebury, L.
Barnard, L.
Barrymore, L.
Belhaven and Stenton, L.
Belper, L.
Blythswood, L.
Boston, L.
Brancepath, L. (*V. Boyne.*)
Braye, L.
Brodrick, L. (*V. Midleton.*)

Carysfort, L. (*E. Carysfort.*)
Chaworth, L. (*E. Meath.*)
Cheylesmore, L.
Clifford of Chudleigh, L.
Colchester, L.
Dawnay, L. (*V. Downe.*)
De Freyne, L.
Digby, L.
Dormer, L.
Ellenborough, L.
Emly, L.
Estcourt, L.
Faber, L.
Fermanagh, L. (*E. Erne.*)
Fingall, L. (*E. Fingall.*)
Forester, L.
Gage, L. (*V. Gage.*)
Gormanston, L. (*V. Gormanston.*)
Harris, L.
Hastings, L.
Howard of Glossop, L.
Hylton, L.
Kelvin, L.
Kenmare, L. (*E. Kenmare.*)
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Kilmarnock, L. (*E. Erroll.*)
Knaresborough, L.
Lawrence, L.
Leith of Fyvie, L.
Llangattock, L.
Lovat, L.
Macnaghten L.
Manners, L.
Meldrum, L. (*M. Huntly*).
Methuen, L.
Muncaster, L.
Napier, L
North, L.
Northbourne, L.
Petre, L.
Poltimore, L.
Ponsonby, L. (*E. Bessborough*)
Ranfurly, L. (*E. Ranfurly.*)
Rathmore, L.
Ravensworth, L.
Redesdale, L.
Revelstoke, L.
Ritchie of Dundee, L.

Robertson, L.
Sanderson, L.
Sandys, L.
Seaton, L.
Sherborne, L.
Shute, L. (*V. Barrington.*)
Stalbridge, L.
Stanmore, L.
Stewart of Garlies, L. (*E. Galloway.*)
Waleran, L.
Wolverton, L.
Zouche of Haryngworth, L.

NOT-CONTENTS.

Crewe, E. (*L. President.*)

Ripon, M. (*L. Privy Seal.*)

Manchester, D.

Beauchamp, E.
Carrington, E.
Chesterfield, E.
Craven, E.
Kimberley, E.
Lytton, E.
Portsmouth, E.
Temple, E.

Hereford, L. Bp.
St. Asaph, L. Bp.

Burghclere, L.
Castletown, L.
Coleridge, L.
Courtney of Penwith, L.
Denman L. [*Teller.*]
Dunning, L. (*L. Rollo.*)
Elgin, L. (*E. Elgin and Kincardine.*)
Eversley, L.
Farrer, L.
Fitzmaurice, L.
Glantawe, L.
Grimthorpe, L.
Haversham, L.
Headley, L.
Hemphill, L.
Kinnaird, L.
Lyveden, L.
Monkswell, L,
Nunburnholme, L.
Pirrie, L.
Reay, L.
Rendel, L.
Ribblesdale, L. [*Teller.*]
Sandhurst, L.
Saye and Sele, L.
Shuttleworth, L.
Stanley of Alderley, L.
Tweedmouth, L.
Wandsworth, L.
Welby, L.

Amendment moved—

"In line 9, after the word 'that,' to insert the following words, "In the case of schools in which no facilities for religious instruction of a special character are afforded under this Act."—(*Viscount St. Aldwyn.*)

THE CHAIRMAN OF COMMITTEES: It is now moved that the following words be inserted, after the word "that"—

"in the case of schools in which no facilities for religious instruction of a special character are afforded under this Act.'"

On Question, Amendment agreed to.

VISCOUNT LLANDAFF: I now move the remainder of the first paragraph down to "elsewhere," omitting the words "observance or."

On Question, Amendment agreed to.

VISCOUNT LLANDAFF next moved to insert his second subsection, the object of which was, he said, to make the parents' committee universal in all schools. Their Lordships had decided, with the assent of His Majesty's Government, that there should be a parents' committee in Clause 4 schools, but he was unable to draw any distinction between Clause 4 schools, Clause 3 schools, State-aided schools, and temporarily occupied schools, these being the different classes of schools they had to deal with. Clause 3 schools were denominational schools in part, but not wholly, like Clause 4 schools. State-aided schools were also denominational schools, as also were the temporarily occupied schools. He could suggest no reason why, when their Lordships had declared that there ought to be a parents' committee in Clause 4 schools, the other three classes of schools should not have a parents' committee to superintend and control the religious instruction.

The point where difference would arise, he presumed, was in the case of council schools. He could imagine no argument which would take from the parents of children attending council schools the right which had been given to parents of children attending Clause 4 schools. It was nothing short of religious tyranny for a Department of the State to prescribe the religious instruction to be given to the children of parents who were compelled to send their children to public elementary schools. There never had been a State syllabus of religious instruction in the public elementary schools of this country, and His Majesty's inspectors were forbidden to inquire into the religious instruction given in any school. Therefore the State had very properly abstained from any interference with religious instruction.

Under the Act of 1870 Parliament left it to the school boards to decide the kind and amount of religious instruction to be given to the children attending their schools. The school boards were very analogous to the parents' committees he was now suggesting. The members of those boards were in close touch with the parents, and by the provision of the cumulative vote opportunities were given for the minority to have some representation on the school board. When the Act of 1902 made the county councils the local education authority instead of the school boards, the case seemed to him to be entirely altered. County councils were not in touch with the parents; they did not represent each particular parish in their county. They represented the ratepayers of the county, it was true, but they were not in touch with, and did not represent the feelings of, the parents in the particular parishes with regard to the religious instruction which should be given in the council schools. He therefore submitted to their Lordships that the parents' committee should exist in council schools as well as in denominational schools in order to preside over and regulate the religious instruction give in those schools.

The next step in his argument was that the instruction must be given by the teachers in the school; it was perfectly idle to suppose that outsiders could be called in of sufficient quality and in sufficient numbers to give the religious instruction desired. They could not expect a giver of religious instruction to instruct more than forty children. Therefore for a school of 400 children they would require ten teachers to be brought in if the instruction was not to be given by the teachers in the school. That would be found to be an impossibility in practice. When their Lordships remembered the hundreds of thousands of children who had to be dealt with, who had to receive religious instruction of some sort, the idea that outside teachers could in practice, especially in rural districts, be found, and that remuneration sufficient to induce them to serve for this short period of each day could be provided, seemed to him to be perfectly impossible of realisation. Therefore he ventured to urge upon their Lordships that, if there was to be religious teaching given at all in the schools, it must be given by the teachers.

Again, the parents' committee, who had the control and regulation of the religious instruction, ought to have a voice in the appointment of the teachers. He observed from the Amendments on the Paper that the most rev. Primate and Lord Camperdown suggested that the parents' committee should have a vote in the appointment of the teachers. His suggestion was that the appointment of the teachers should rest with the local education authority, but that the parents' committee should nominate the teachers, should present to the local education authority for appointment candidates satisfactory to them. The local education authority would then have the right to refuse those nominees upon educational grounds. In this way they made sure that the persons appointed would be fit to give the secular instruction.

THE EARL OF CREWE: I do not like interrupting the noble Viscount, but if he looks a little ahead he will see that this particular question arises on an Amendment to be moved by Lord Clifford of Chudleigh, and, I think, in a form which would satisfy him. It is, of course, quite true that the Amendment of the most rev. Primate would not satisfy the noble Viscount, but I think Lord Clifford of Chudleigh's would. In that case, perhaps the noble Viscount would consent to take this discussion on Clause 8—the teachers clause.

VISCOUNT LLANDAFF said it was very inconvenient to postpone part of an Amendment. Strictly, they were on the second paragraph of his Amendment, and, though it did not deal with teachers, they were on the threshold of the teachers question.

THE MARQUESS OF LONDONDERRY thought that what the noble Viscount had said with regard to the parents' committee was perfectly relevant. He gathered that the noble Earl the Lord President of the Council agreed that parents should have some voice in the selection and appointment of the teachers.

THE EARL OF CREWE: No.

THE MARQUESS OF LONDONDERRY: Does the noble Earl differ from us on that?

THE EARL OF CREWE: Yes.

THE MARQUESS OF LONDONDERRY: If the noble Earl repudiates that, I have no more to say, but I certainly gathered that he was with us in that matter.

THE EARL OF CREWE: My object in rising was to point out that it seemed to me better to postpone all questions relating to teachers until we came to what we call the teachers clause—namely, Clause 8. It is quite possible to argue the virtues and merits of the parents' committee without dealing with the particular function of the appointment of teachers.

THE EARL OF CAMPERDOWN said that the first paragraph in the noble Viscount's Amendment as it stood on the Paper had been agreed to as a substitute for Clause 7; but the second paragraph, which dealt with the appointment of a parents' committee for all schools, was an entirely separate matter, and, in his opinion, ought to be dealt with in a separate clause. He suggested to the noble Viscount that he should be content with having obtained paragraph 1 of his Amendment as the new Clause 7, and either move the second paragraph as a separate clause or postpone it.

LORD STANMORE suggested that the noble Viscount should limit the subsection to the first four lines. That would establish the parents' committees, but it would leave the whole question of the teachers over until they reached Clause 8.

*VISCOUNT ST. ALDWYN joined in the hope that Viscount Llandaff would postpone the question of the parents' committee. That proposal would come much better on Clause 15. In that clause they had to provide for the local management of all schools, and surely they could hardly desire to have a parents' committee and a local committee as well managing every school.

LORD BELPER: And then there are the managers.

*VISCOUNT ST. ALDWYN: Yes, and managers too. I think the whole matter had much better be considered together.

VISCOUNT LLANDAFF said he could see no connection between the delegation of the powers of the local education authorities and the appointment of teachers in particular schools.

*VISCOUNT ST. ALDWYN: I was speaking of the organisation of the local committee, not of their powers.

VISCOUNT LLANDAFF said that if it was more convenient to the Committee that this part of his Amendment should be postponed he would gladly bow to the wishes of their Lordships. But he thought it should be understood that Lord Clifford and himself should have precedence when the time came to move their clauses with regard to the share that the parents' committees should have in the appointment of teachers. It seemed to him that that was a necessary part of the organisation of the parents' committees, and, subject to that, he would be quite willing to postpone so much of his second subsection as related to the appointment of teachers, and limit it to whether or not there should be a parents' committee in those schools as well as in Clause 4 schools.

LORD BELPER said it would be extremely inconvenient if the Committee were to discuss the question of establishing a parents' committee in every school, and to discuss it apart, not only from the clause which gave powers of delegation, but also apart from the question of managers. The delegation clause especially alluded to the point whether the power of appointing teachers should be delegated or not. It also alluded to the question of the managers and their powers, and he thought that if they were to discuss these differently-constituted bodies separately they would get into more hopeless confusion than they were in now. In the interest of business he hoped their Lordships would insist that these matters should be discussed in such a way that the Committee would be able to see what relation they bore one to another.

THE MARQUESS OF RIPON: I hope my noble and learned friend Viscount Llandaff will see that it would be more in accordance with the wishes of the Committee on both sides if he would be good enough not to persist in his Amendment at this juncture.

VISCOUNT LLANDAFF said he had already bowed to the wishes of the Committee and limited his Amendment to the first four lines, which raised the question whether or not there should be a parents' committee in these schools.

*THE MARQUESS OF LANSDOWNE: I think the point of the objection which has been raised to the Amendment is this. We have already dealt with the question of the parents' committees as part of the machinery of Clause 4. And the question of committees of this kind might possibly also arise further on when we come to the local machinery for the administration of this Act; but I am bound to say that, at this moment, when we are on the point of discussing the duties of the teachers and the circumstances of their appointment, this proposal to introduce parents' committees not only in regard to Clause 4 schools but in regard to all other schools, does seem to me somewhat inappropriate. I would venture to join in the appeal to the noble and learned Viscount to withdraw his Amendment altogether.

VISCOUNT LLANDAFF said he could not resist the appeals that had been made to him, and he would postpone his Amendment.

THE CHAIRMAN OF THE COMMITTEES: Then the noble Viscount withdraws his Amendment?

VISCOUNT LLANDAFF: No, I do not withdraw it. I postpone it.

THE CHAIRMAN OF THE COMMITTEES: Well, it is withdrawn for the time being.

Amendment, by leave withdrawn.

Clause 7, as amended, agreed to.

Clause 8:—

LORD MONKSWELL moved an Amendment to limit the application of the first subsection to the case of teachers who were "appointed after the passing of this Act." He was extremely sorry that he could not go the whole length that the most rev. Primate did, in suggesting that all teachers should be allowed to give denominational instruction. He thought there was a great deal to be said for that proposition. It appeared to him that it was far better, if possible, to avoid any outside influences being brought into the school. He entirely agreed with the noble Viscount Lord Halifax that it was extremely hard on the teachers to suggest that they should not be allowed to give denominational education when, as in many cases, their whole heart was in it. Not only that, he felt that a great many of the teachers who had been in the habit of giving denominational instruction would naturally resent any interference by outsiders in the school. He also agreed that persons from outside would probably not be able to give the religious instruction as well as the trained teacher. For all these reasons he wished he could vote with the most rev. Primate and his friends, but there were considerations on the other side.

There had been a general election, and the people of this country had said clearly and decidedly that as far as possible there should be no religious tests for teachers. What did the country understand by religious tests? The country understood something very different from that which was understood by noble Lords opposite. The country took a much broader view of what was meant by religious tests. The country considered that denominational tests were imposed on teachers, not only when those tests were a necessary qualification for teaching, but when they were any qualification at all. The view of the country was that if they gave a teacher any sort of advantage over another because of his religious convictions they were imposing a religious test. If they took that to be the standard, it was perfectly clear that the only means of getting absolutely rid of religious tests was by preventing teachers giving denominational education at all. If two teachers, for instance, applied for a position in a denominational school and one could teach denominational religion and the other could not, it was perfectly clear that the former had an advantage over the latter. His Majesty's Government, however, had not gone the length of absolutely doing away with denominational tests for teachers to the extent that the country perhaps wished it. For instance, in Clause 4 there was an exception. By that clause teachers were allowed and instructed to teach denominational religion.

*THE UNDER-SECRETARY OF STATE FOR WAR (The Earl of PORTSMOUTH): Not instructed.

LORD MONKSWELL: Well, at all events they are allowed to give denominational instruction. Noble Lords opposite had suggested that every teacher, both present and future, should be entitled, if he liked, to give denominational teaching in the school. His Amendment drew a clear distinction between teachers who were now giving denominational teaching and those who were not. He thought every noble Lord who had the slightest knowledge of platform oratory must be convinced that the most telling argument against religious tests heard in the country during the last five or six years was what he might call the argument of hypocrisy, that tests made hypocrites. There were hundreds of thousands of devoted Nonconformists who were satisfied that a most intolerable strain was placed on the conscience of Nonconformists by the temptation to say that they agreed with Church of England dogmas when they did not. Nonconformists were perfectly certain that a considerable number of teachers has succumbed to that temptation, and they were determined that the temptation should not, if they could avoid it, be present in the future.

They could not undo the past. If there were any persons now teaching denominational religion which they did not believe he was sorry for them. But his Amendment made no new hypocrites. By permitting those who were now giving religious instruction to continue to do so they could not be held to be imposing tests. It was a cruel and odious disability to prevent teachers from teaching a denominational religion in which they believed, and therefore he thought they ought not to carry this provision further than was absolutely necessary to fulfil the mandate of the people. He hoped that on the Ministerial side the Amendment would be accepted, and he ventured to suggest to noble Lords opposite that they might accept it instead of deleting subsection (1) of Clause 4. If they carried their views too far the Amendments they put into the Bill would be futile. Surely it was far better that they should insert an Amendment which the House of Commons might be induced to accept, rather than hazard any Amendment at all being agreed upon by excluding the sub-section.

Amendment moved—

"In page 6, line 36, after the word 'school' to insert the words 'appointed after the passing of this Act.'"—(*Lord Monkswell.*)

VISCOUNT HALIFAX believed that everyone on the Opposition side of the House was in favour of teachers being relieved from the obligation of giving religious teaching to which they objected. But what they did feel extremely hard was that teachers who wished to give religious instruction should not be allowed to do so. The question was not merely one affecting existing schools; it affected the character of all schools and the rights of all children in time to come. Why was what they considered a reasonable claim to be limited to existing teachers? It seemed to him that there was no kind of sense in that suggestion. He hoped the noble Lord who had moved the Amendment would see that, having gone so far, he might with great advantage and much logic go a little further. The subsection provided that a teacher employed in a public elementary school should not give any religious instruction of a special character not permitted under Section 14 of the Elementary Education Act, 1870. What was to happen in the case of religious teaching which was not of a special character? Was the teacher to be obliged to give it or not? He thought many teachers might object to give religious instruction of the Cowper-Temple nature. Would they be obliged to do so?

THE EARL OF CREWE: My Lords, I think it is evident from this discussion, so far as it has gone, that this is one of those cases where we are not able to consider only the Amendment which is actually before the Committee. It is not possible to discuss the question of the limitations suggested by my noble friend Lord Monkswell without going into the whole question of whether teachers should be allowed to give special teaching at all. Consequently, in what I have to say now I shall practically be addressing myself to the Amendments put down by Lord Heneage and others, as well as to that moved by my noble friend.

Clause 8 contains several provisions, all of which are intended for the protection of teachers, and it is by this apparent disability that we begin our scheme of protection for them. I do not know whether your Lordships have ever thought what an exceedingly interesting and important body the elementary teachers of this country have now become. There are 140,000 men and women, all of them educated, a great number of them very highly educated indeed, and they form a really new lement in our national life. Forty or fifty years ago the teachers of this country were poorly trained in many cases, disorganised, and not forming, as they do now, a great body of public servants. This body demands, in my opinion, very high consideration. They are not people who come very much before the world. It is only here and there that the name of one who has been an elementary teacher becomes known, as a few names are now well known in Parliament, but we must not forget the great part they play in our national life; many of them are obscure people, but to them is committed the future of the great body of our race. They might say, in the well-known lines—

> "Others I doubt not, if not we,
> The issue of our toil shall see;
> Young children gather as their own
> The harvest that the dead have sown,
> The dead forgotten and unknown."

These people, as we believe, are by a very great majority in favour of having this undoubted disability laid upon them. That may seem to be a singular fact, and I note that it is contradicted from the right rev. Bench, but it has been stated by those who are entitled to speak for the teachers. I know, of course, that there is a considerable and important number who take an entirely different view, yet I believe I am right in saying that the majority would prefer to see this clause pass as it stands than to see subsection (1) struck out of the Bill.

THE MARQUESS OF SALISBURY: Does the noble Earl say the majority of teachers in denominational schools desire that?

THE EARL OF CREWE: No, the majority of the whole number of teachers desire it.

THE LORD ARCHBISHOP OF CANTERBURY: Has the noble Earl any evidence of that?

THE EARL OF CREWE: I have no figures on the subject. I imagine that none exist. If any figures exist which prove the contrary, no doubt some noble Lord or right rev. Prelate will produce them. Now, my Lords, there is a disability, but there are many disabilities of a similar kind existing in this country at this moment. It is a parallel disability which forbids, or at any rate precludes, Judges and officers in the Army from taking part in polemical politics. Of course, if you like, you may say that politics are on a lower plane, and that here you are dealing with loftier matters. I do not expect, however, to hear that argument used in this House, because I am quite sure that most of your Lordships would hold that a man's duty to his Sovereign and his country may be part of his religion. And I can quite believe that at a time of national crisis it might be a very serious disability for a distinguished Member of the Judicature who, perhaps, had taken an active part in public life, to be prevented from declaring views which he might hold very strongly as to the course that ought to be taken for the national safety and the national honour. But, my Lords, he has to give up the lesser freedom in order to preserve the greater freedom, and that, in a humble way, is what we ask the teachers of England to do in this matter, and what we believe in the main they would prefer to do.

It is a singular fact that this provision, harsh though it may seem to some, is not one of the provisions in the Bill that is specially, or, at any rate, by any means only, pressed by the more extreme advocates of undenominational education. There may be some in this House and possibly outside who imagine that the Nonconformist Churches are in main composed of gloomy and jealous fanatics, but it is by no means only fanatics who object to any change in this provision. I confess that in the survey which I have had to take of this matter I have been even surprised at the extent to which men of quite moderate opinions attach the greatest importance to the retention of this subsection as being practically the only means of preventing the imposition of tests upon teachers. What they say is that if a teacher may give this special instruction it will happen, looking at the thing as practical men and rather on the question of principle, that in a great many cases he is appointed because he can give it and may give it. Consequently, by giving this permission you establish a test.

Your Lordships are perfectly well aware that a very considerable number of Nonconformists strongly object to Clause 4, and that the Government have passed through a pretty hot fire from many of their ordinary supporters in respect of it. One of the reasons for which that clause is objected to is that it is believed that some sort of indirect test is likely to be placed upon teachers in these Clause 4 schools. It is undoubtedly the case that if that permission were made universal, these gentlemen would very reasonably consider their objections multiplied tenfold, because while we have admitted all through that Clause 4 schools have a denominational character, we have protested with equal force that we intend the other transferred schools to take an undenominational position. Now, my Lords, what those who object to any departure from this subsection say is this. Take the case of a small rural school. You have a neighbourhood with an active clergyman and very likely a clerically-minded landowner. If you allow a teacher in such a case as that to give the facilities teaching—I am assuming, of course, that it is not a Clause 4 school—you will practically be reducing the school to the position in which it stands at this moment. Noble Lords opposite will say "And a very good thing too," only, of course, that is not compatible with the Bill. It would make the taking over of the school meaningless and the payment of rent absolutely offensive from the point of view of the people who have to pay it.

I must remind your Lordships of one further point in this connection. If you agree that it is a proper thing to appoint a teacher to such a school as this because he can, and will, give the facilities teaching, you cannot complain if the obverse also happens. If the willingness of a teacher to give this teaching is to become in some cases a test of his getting the appointment, you may be quite certain that people who are not in favour of denominational education will take very good care that a teacher is appointed who will not be prepared to give it. In such a case as I have described, you could not complain if the local authorities who were not in favour of keeping the denominational atmosphere in such a school carefully picked out a Nonconformist teacher, in order to prevent its completely losing its undenominational character. And, as I think, the most unfortunate result would be that, according to the particular opinions held by particular local authorities, you would have a sort of chess-board all over England and Wales in which friendly local authorities would appoint Church teachers to nominally undenominational schools in order to give Church teaching, and unfriendly authorities would appoint Nonconformists in order to keep the character of the schools undenominational.

I think it is a bad business if you are going to have a sort of fight for the body of the teacher according to his or her religious views. In the interests of the teaching profession quite as much as in the interests of the children we desire to keep all that sort of thing entirely out of the question of the selection of the teacher, or, at any rate, so far as it possibly can be kept out. I quite admit it is not possible to expel that element altogether, but we are determined, at any rate, to do nothing to encourage it. I might point out, although I am not sure that it is really worth while to do so, that the practical effect of the acceptance of the Amendment of my noble friend opposite, or, in lesser degree, of that of my noble friend Lord Monkswell, is somewhat diminished by what you have done by your Amendments to Clause 7. If attendance at the school is made compulsory for all children it must obviously be the teacher's first duty to give, if required, Cowper-Temple instruction or secular instruction, and only in the third place the instruction which you now desire him or her to be allowed to give. It is perfectly evident that both those kinds of teaching must take precedence of the facilities teaching, and that possibly some of your Lordships might be disappointed to find that the actual effect in small schools is not quite so marked as you would at first sight be led to hope.

I pass for one moment to the Amendment of my noble friend. That stands on a somewhat different footing. He, in the early part of his speech, very forcibly set before us the general arguments which I have endeavoured to enforce in somewhat different terms. But his Amendment, as I understand it, is not on merits, but is an *ad misericordiam* plea for individuals, and that, of course, is a very different matter.

LORD MONKSWELL: It is a little of both.

THE EARL OF CREWE: Then I am not sure that I quite followed my noble friend's point in confining it to these particular teachers. It is only fair to him to state that he set forward the objections to the omission of the subsection with great force, although perhaps he was not so much convinced by them as we are. I do feel—we must all feel—that the milk of human kindness flows freely in the veins of the Government, and we do feel that, in our general desire to make the transitions which must take place under this Bill as easy as possible, it is unfortunate to inflict what I am afraid in some cases may be a rather poignant disappointment upon people who have been in the habit of giving this teaching. I have no doubt their case will be set before the Committee by speakers on the other side, and consequently, although I am not in a position to accept the Amendment of my noble friend, yet I do not propose to divide the Committee against it. I do not want to put your Lordships to the trouble of two divisions, but I shall be obliged to say "Not content," and then when the other Amendment is brought forward we shall have to express our disagreement with noble Lords opposite by dividing against them.

LORD MONKSWELL said he would certainly not press his Amendment to a division if it was not liked on either side of the House. But the noble Earl had given no answer to the plain distinction between teachers who were now giving denominational education and future teachers. His Amendment was confined to teachers who were now giving religious instruction, and, therefore, the arguments against tests, so far as his Amendment was concerned, fell to the ground.

THE LORD ARCHBISHOP OF CANTERBURY rose to speak.

THE EARL OF CAMPERDOWN: Which Amendment are we on ?

THE CHAIRMAN OF COMMITTEES: The Amendment moved by the noble Lord below the gangway (Lord Monkswell).

THE EARL OF CAMPERDOWN: But I understand him to withdraw it.

LORD MONKSWELL: I will withdraw it if noble Lords so desire.

*THE LORD ARCHBISHOP OF CANTERBURY said he accepted absolutely and unreservedly the general principle of the completest freedom of conscience for all teachers. Anything that concerned the consciences of the teachers ought to be handled with quite peculiar tenderness and care. No teacher ought, in his judgment, ever to be compelled, directly or indirectly, to give religious teaching of any sort whatever. On the other hand where religious teaching, whether denominational or undenominational, could be given by a teacher without interference with the due conduct of the work of the school, it was, to his mind, an almost intolerable hardship to forbid trained men and women voluntarily to give that teaching. The only religious teaching worthy of the name was that which was given absolutely willingly, as the outcome of complete intellectual and moral conviction.

The very last thing that he wanted to do, directly or indirectly, was to impose upon anyone the compulsion to teach a single word that he did not honestly and fully believe. That principle alone gave reality to that part of education which did most to strengthen the will and to form character. It was not for the satisfaction of a sentiment, but for the assertion of a principle, that they cared about this matter. Lord Monkswell's proposal was valuable so far as it went, because it granted a privilege to existing teachers. But, while it admitted the principle on which that sanction ought to be given, it practically barred the way for its future application. One was a question of consideration and fairness to individuals, but the other was a fundamental principle of common justice and of the satisfactory management of the whole system of elementary schools in England.

He found it hard to believe that anyone who knew the facts could impartially and in his heart desire to go against the proposal that had been made by Lord Monkswell. The proposal to apply to existing teachers this prohibition was a piece of simple religious tyranny. He knew no other words for it. It would inflict the cruellest possible hardship upon thousands of people who had a right to expect other treatment. It was impossible to exaggerate what the compulsory silencing of that for which they cared most would mean to thousands of devoted men and women working in the denominational schools to-day. It would be a direct violation of what these people had had a right to look for from the day they entered on their training for their great and noble career down to the present time. There were about 68,000 fully-certified teachers in England, and about one-third of them belonged to and were working in the Church schools. He spoke with intimate knowledge of them, and it was absolutely certain that no small number of them would never have entered that profession but for their firm confidence that they could pursue it on the lines on which they had entered it. Very many of them had deliberately remained in the denominational schools at a lower salary than they could have obtained in other schools, because they said they would not give up the right to pass on to the children entrusted to their care the principles which were operative in a wide way on the whole issues of life, the principles which had made all the difference to themselves, and which they believed would make all the difference to the children.

A month or two ago he spent an afternoon on one of the anniversary days at one of the largest and best of their training colleges for women teachers. There were gathered together many hundreds of teachers, and he took pains to converse with them on this subject. If their Lordships had been present and had heard what many of these devoted women said one after another as to how they valued the right to give this special teaching, he was certain they would have a unanimous vote on this subject. Scarcely any of those ladies had realised that a day might come, within the next year or two, upon which they should suddenly find that for the rest of their lives they were not to open their lips in these schools upon the things which mattered most to them in their religious life. It was not a mere question of teaching the Catechism and formularies. The Catechism and formularies were merely the expression of certain large and far-reaching doctrines as to the bearing of religion upon life; the corporate side of religion; what baptism meant, what it meant to be baptised members of the Church of Christ, communicant members of His Society upon earth. These were the ways, whether others liked them or not, which they had found by daily experience to be the best to build up character, to strengthen life, and to make pure and wholesome and bright the future years of the children they were teaching.

Knowing that these teachers started in life with the thought that having got these principles deep in their hearts they would devote themselves to passing them on to the children, were they going to say that on a particular day that was to come to an end? The thing to his mind was simply intolerable. There was an immense volume of opinion from teachers in all parts of the country as to the wrong which would be done to their deepest convictions if they were, after years of devoted service, to be compulsorily silenced as to all these topics which had meant so much to them in the non-provided or denominational schools. Last May a very crowded meeting of teachers was held in one of the great central halls in London, and they protested with all their might against this change which was threatened. They protested against the proposal to forbid the teachers to give denominational instruction, and they claimed emphatically on behalf of every elementary Church school teacher absolute freedom to give or to refrain from giving in accordance with their conscientious convictions any religious instruction, denominational or undenominational, which formed part of the curriculum of the school. Though the teachers were now told that such instruction was to form part of the curriculum, they were to stand aside in order to let other persons come in and give that teaching, and they were to be prevented from speaking on the subjects that were nearest to their hearts. Other meetings of teachers had been held in almost every part of England, and petitions had been presented in large numbers. A great memorial was addressed to the President of the Board of Education signed by 11,438 teachers in denominational Church schools. To the best of his belief it was everywhere true —it was certainly true in his own diocese—that these memorials were the spontaneous product of the teachers themselves. When asked whether he would help to promote the movement, he objected, and urged the clergy to keep out of it, pointing out that the movement, if made at all, must come from the teachers themselves; and this was what actually happened. In that memorial the teachers stated—

> "We, being actual teachers of children actually attending public elementary schools desire to make known to you that we strongly object to being deprived of the liberty we have hitherto enjoyed of giving to the children whose parents desire it the full teaching of the Church of England. We assure you that we entered the profession with the conviction that we should never be required to abstain from teaching what we believe to be of vital importance."

He found it difficult, therefore, to understand the position of those who said that these teachers were now to be debarred from doing that which had induced many of them to enter the profession, and which they prized more than any other part of their noble and sacred calling. He further pointed out that instead of a clear majority of teachers having declared themselves to be in favour of the change, as was sometimes urged, the true fact was that when the National Union of Teachers met in Scarborough last summer this question was not put to the vote. Until the Government could produce some figures showing the preponderance of opinion among the teaching body he hoped that nothing would be said as to the opinion held by teachers regarding their right to give denominational instruction where it could properly be given.

He accepted the general principle contained in Clauses 3 and 4 as a perfectly genuine effort on the part of the Government in the arrangement of a most complicated and difficult matter to safeguard the denominational principle where it could be suitably maintained. But he doubted whether the intention had in any way been carried out or could be given effect to by the provisions of the Bill as drawn; and he did not think that the hopes of safeguarding denominational education from wrong would be fulfilled by the clauses as they stood. In and out of Parliament they had been told, "You are making a most unnecessary fuss about this; your denominational principle is safeguarded to the full." He was certain that thousands of persons had had their apprehensions and anxieties removed as to the future of their schools by the assurance thus given. He was not prepared to say that this clause in some amended form might not give some measure of security to the denominational principle. But one of the Amendments which was absolutely essential was the Amendment now before the Committee to allow teachers in the Clause 3 schools to go on giving religious teaching where they wished to do so, and where the arrangements of the school made it possible. It was practically impossible to import men and women on a large scale from the outside to take advantage of the facilities in an effective and useful manner by superseding the trained teachers who were accustomed to give the teaching in the schools. The arrangement would be fatal to the discipline of the school and to the management of the entire system unless the imported teachers were as well trained as those whom they superseded in the work. Where were they to get these teachers? Every education expert in the kingdom would say that the arrangement was a mockery.

To go from little country to town schools, he was talking yesterday to the master of a school with which he was acquainted, an admirable Church school in London. It was impossible for this school to come in as a four-fifths school; it must come in under Clause 3. It was a school attended by some 400 boys, divided into seven classes varying from some forty-five to sixty-three each. In a school like that, to take the religious teaching out of the hands of the trained teachers and put it into the hands of somebody else was, in the words of the master, simply nonsense, even if it were possible to get people to come in and do it. This school was in a poor part of London, and it was really not arguable that they could find people ready to come in to such a school on two mornings a week to take the place of the trained teachers. There might be a few country schools, possibly a few town schools, which enjoyed an exceptional position, but for the vast majority of schools which would come in under Clause 3 they were asked to regard as a safeguard what in practice would be entirely useless. It was sometimes urged that the clergy should do it themselves. In small country parishes this would doubtless be possible—but in great town schools it was obviously out of the question, even if they had clergy everywhere who possessed that quite peculiar gift—wholly separate from theological attainment—of carefully teaching day by day great classes of little day-school children.

And surely a still greater hardship and wrong was done to the children in placing them on this one subject of religion under the guidance of people untrained in the technical duty of teaching little children. The instruction would be less effective and less efficient, and they would be placing a badge of inferiority on that one subject infinitely prejudicial to the child and with results in after years which he could not but contemplate with apprehension.

EARL CAWDOR said it was absolutely essential to ensure that the teachers should be able to give religious teaching in ordinary facilities schools. The noble Earl the Lord President had spoken in terms of great praise of elementary school teachers, and they would all echo his remarks to the full. The noble Earl had gone on to say that the teachers deserved at their hands very high consideration. He wished sincerely that he could trace in the remainder of the noble Earl's speech any evidence of that consideration. The noble Earl seemed to think that teachers in giving simple denominational teaching in elementary schools were dealing in political matters; at all events he likened the present proposal to the restriction which he said held good regard to Judges taking part in political matters. He knew of no such restriction that was legally binding on the Judges, but, even if there were a restriction of that nature, he saw no connection between the two things.

THE EARL OF CREWE: I simply quoted it as a parallel disability which forbids, or, at any rate, precludes Judges and officers in the Army from taking part in political matters.

EARL CAWDOR held that it was no parallel at all. He wished to make it clear that the teacher should have an absolute right to give religious teaching in both classes of schools, and should not be excluded by the action of the local education authority. He suspected that what the Government meant was to establish undenominational religion and disestablish denominational religion in Clause 3 schools. If that was the explanation the country would understand it. The Government granted ordinary facilities under Clause 3, but, as the most rev. Primate had pointed out, unless the teacher was to give this teaching they were practically taking away nine-tenths of their value. If the facilities granted under the Bill as drawn by the Government were all that they could have, the owners of voluntary schools would be better off without the facilities. It was only in schools where facilities had been afforded that teachers were debarred from giving this instruction. If the owner arranged that the local education authority should have control of the school from nine-thirty to five o'clock he could retain the school from nine to half-past nine in the morning and the teachers might then give the instruction, because there were no facilities. It was really better for the owner and the teacher that they should do without the facilities at all. They had been told over and over again that the intention of Clause 4 was not alone that the atmosphere should be preserved, but that the teachers should remain the same as they were. Those words were used by a high authority. He asked in what part of the Bill, as drafted by the Government, that pledge was carried out.

THE EARL OF CREWE: May I ask the noble Earl from whom he is quoting?

EARL CAWDOR said the words he had quoted appeared in Mr. Birrell's speech to the Jewish deputation. In that speech Mr. Birrell said—

> "Of course Clause 4 may require strengthening, but the intention of the clause really is that the schools which come within its conditions should be carried on just as they are now; that is the plain English intention of the clause. The intention of the clause certainly is that the teachers should remain the same as they are, those who are most qualified to give the particular religious instruction which hitherto has been given in the school.

He again asked why it was, in view of that pledge, that in the first subsection of the clause now under consideration no teacher was to give religious instruction in these special extended facilities schools unless with the approval of the local authority. He felt that this was too serious and too grave a matter to be left to the whim of any particular local authority, and he asked their Lordships to put in words which would make it beyond doubt that the teachers in the Clause 3 ordinary facilities schools should be allowed to give religious teaching if they wished to do so.

*THE LORD BISHOP OF BATH AND WELLS said he should not have trespassed upon the time of the House were it not that it seemed to him that at the point of the Bill they had now reached there were certain considerations which he felt it to be his duty to lay before their Lordships, and to ask them to give that attention to those considerations which he was sure they were always ready to give to the views even of those who seldom rose to address the House. In the first place, he would like to say at once that he believed that this clause had been framed for the very purpose of safeguarding the interests of those teachers who rightly thought that they ought not to be hindered in aspiring to the highest positions that they could properly obtain. He believed that that lay at the root of the clause. He recognised that the formation of the clause had been contributed to by those Nonconformists who thought that the teachers of their various persuasions had not a fair chance unless some such clause as this were passed. He could not help recognising that many of the teachers themselves, understanding that under the new condition of things there was less and less of a recognition by the State of any religious teaching—indeed, this had been the case as they all knew ever since the Act of 1870—thought the time had now come when they should have absolute freedom in this matter, because the teachers claimed to be more in the position of civil servants of the State than recognised teachers of schools. There were others who undoubtedly on account of the gradual development of freedom of thought had concluded that it would be unwise that they should be shackled in any way by having to declare what their opinions might be. He was sure their Lordships would gladly meet any difficulties felt by Nonconformists by some more simple means that might be contrived to get over possible difficulties. As the most rev. Primate had plainly stated, they all recognised that no teacher ought to be called upon to teach contrary to his convictions. But whilst such interests as those ought to be safeguarded, he felt very strongly that the clause went a great deal too far. Just after the passing of the Act of 1870 he was appointed as one of the diocesan inspectors of schools, and he had under his charge all the Church of England schools in the large diocese of York. He found himself confronted with very great difficulty that seemed to be caused by the beginning of a new set of circumstances. There were those who, said that the changes made by the operation of the Act ought to go a great deal further, that now was the time when the head teachers should cease to have the responsibility of training their pupil teachers, and possibly for even giving religious instruction to children in their schools. This was urged with a great deal of force by some people who thought that that was the special work of the clergy, that the clergy ought to take it off the shoulders of the teachers, and they thought it was a golden opportunity for such a change to be made. He was asked to meet a deputation from a body of some 600 head teachers round about Sheffield, and the teachers representing this large body met him with questions and expressed to him their opinions the reports of which before he had heard the Deputation had rather filled him with dismay. Those teachers distinctly laid before him their opinion that their calling would be fraught with the gravest possible difficulty and dissatisfaction if they were to be relieved in any way from the high responsibility of not only teaching their pupil teachers in religious subjects, but also of instructing the children as well. They said it was the giving of religious instruction that really gave them the authority they possessed, for it was in that way that they could best get at the hearts of the children, and best lead and instruct them and teach them how to live. He was living now in a very different part of England. He was living in what he was rather inclined to call Arcadia. In Somerset the teachers had charge of children of a different calibre, living among many different circumstances from those he had had to deal with in Sheffield. Not long ago he had to speak at a meeting of the National Union of Teachers assembled in Somerset. He found a very large number of teachers present, and in the course of their proceedings he was informed that on that very day at a meeting at which he was not privileged to be present, overwhelming testimony had been borne by them against the operation of this particular clause. For some time he had been a Bishop in Australia where the whole of the education was on what were commonly called secular lines. In South Australia no religion could be taught in the schools at all. It was true there was a provision that if the parents of twenty children made a demand to that effect the teacher might read the Bible without note or comment to those children out of school hours, but he never heard of a single case in the twelve years he was there in which that provision was availed of, and he felt quite sure that if it had been applied for it would never have been used. It had been his duty to travel a great deal about the country, and he had had many opportunities of conversation with teachers and he was welcomed in their schools. He used to ask them whether they found it a matter of great difficulty or the contrary that they were not permitted to give religious instruction. He knew that those teachers felt that it was a very grave loss to them that they had no opportunity of speaking to the children on those things that touched the very mainspring of conduct, that influenced character, and really, as they believed, would have done more than anything else to form in them just the kind of life which their teachers wished to see reproduced. He could only say that while they were speaking under this clause of denominational school teachers, it seemed to him that to prevent the teachers from giving the full teaching which they were best fitted to give, which they understood, and which they believed to be of the greatest use in forming the minds and characters of the children, was to do an irreparable wrong to the teachers and a grave injustice to the children. He earnestly hoped that the Committee would not accept Clause 8, because he believed that they had to-day just a reflection of the condition of things which was experienced at the time of the passing of the Act of 1870.

THE MARQUESS OF LONDONDERRY said the speeches which had been delivered must have carried very great weight with their Lordships. He would deal first of all with the speech made by his noble friend behind him, who thought that there should be some explanation given with regard to the speeches delivered by Members of the Government and the details of the Bill which had not been dealt with. His noble friend had laid great stress on the speech in which the President of the Board of Education stated that the question of the teachers would remain entirely the same in the future as it had been in the past. That was a statement which Mr. Birrell made in answer to the Jewish deputation. He had in his mind another speech made by the President of the Board of Education in which on the 10th of May, referring to the Jewish deputation, he said—

> "I said what I meant, and I meant what I said. The Government intended (the clause) to be a real and in no sense an illusory clause. . . . . . All I can say is that the intention was that in those four-fifths schools, after their character has been determined and ascertained in a public inquiry, which is compulsory, although the machinery may come out different from that which it now is, the result is intended to be the same with regard to religious teaching which goes on and the teachers who give it."

He thought under the circumstances considering the way in which this clause, if allowed to stand, entirely contradicted those two statements made by the President of the Board of Education, they had a right to ask that the speeches should be fully explained by the noble Lord opposite. He had always held that the facilities so called under either Clause 3 or Clause 4 would be absolutely illusory and entirely different from what had been foreshadowed in the speeches of the right hon. Gentleman. In regard to Clause 7 they had seen one of the most remarkable incidents in the conduct of a Bill that had ever occurred either in their Lordships' House, or in another place. He had read with some amazement that in the division on Clause 7 the noble Marquess opposite, the representative of His Majesty's Government, voted for the deletion of a clause for which he was absolutely responsible. He knew that the noble Lord opposite had stated in reply to Lord Reay that the division was a go-as-you-please division, but had there ever before been a case of one of the leading Members of a Government voting against a clause for which he was responsible? He would be glad to be corrected if he were wrong, but it only proved how very necessary it was for their Lordships to inquire very closely into every detail of this measure when they found that even the second most important Member of the Government voted for the deletion of a clause for which he, as a Member of the Government, was naturally responsible. Then there was the question of the teachers being permitted to give the religious instruction under subsection 1 of Clause 8. At present teachers were forbidden to give the facilities teaching under Clause 3, but under Clause 4 they might, if allowed by the local education authority, give this teaching where extended facilities were afforded. The object of the Opposition at the present moment was to secure for the teachers who were willing permission to give religious instruction in all those schools, whether under Clause 3 or under Clause 4. To his mind the action of the Government was absolutely inconsistent. It was impossible to call their action anything but weak, inasmuch as their clause as it stood was open to many exceptions. If it was wrong for teachers to give religious instruction under Clause 3, why was it not wrong for them to give religious instruction under Clause 4? It was absolutely inconsistent that a teacher should be allowed to give religious instruction under one clause and forbidden to give it under another. Further, why did the Government permit religious instruction up to a certain date, and only up to that date? Either it was wrong that they should give religious instruction at all or else the action of the Government was inconsistent in permitting it only in certain places and only up to a certain date. There was another Question which he would like to ask the noble Lord. They were always being told on the Opposition side of the House that it was noble Lords opposite who were fighting for liberty. He asked if the Government were now fighting for the liberty of the teachers? He maintained that they were not. What he would like to see was liberty given to the teacher to give the kind of religious instruction which that teacher was willing to give. The most rev. Primate had dealt so fully with the desire of the teacher to be permitted to give religious instruction that it would be presumptuous on his part to endeavour to emphasise the point. Bearing in mind the memorial submitted to their Lordships' House by thousands of teachers, who desired to be allowed to continue to give religious instruction in the future, he was justified in asking whether liberty for the teachers was the policy of the Government. He remembered his noble friend Lord Lansdowne receiving a deputation of teachers whose views would entirely bear out the remarks that fallen from the most rev. Primate. It was not for him to say what the views of the teachers were, but it was clear that by this clause the Government were seeking to deprive thousands and thousands of teachers of the right to give the religious instruction which they loved to give, and thus to deprive a vast number of children of the benefit which that instruction would give. What had been the object of training colleges in this country? The object had been to instruct teachers of teach what they had been taught. He had had a certain amount of experience upon educational matters in connection with the London School Board and the Board of Education, and he had always found that the great difficulty was to get teachers who knew how to impart what they knew. If they brought in outsiders to give religious instruction, how were they to impart their knowledge to the children? Such instruction ought to be given only by persons who had been brought up to teach what they believed. How was a person going to inculcate what he knew into the minds of those he was called upon to teach when he had never been instructed how to impart his knowledge to others? That was a question which ought to come home to the minds of noble Lords opposite before they prevented teachers from taking advantage of the instruction they had had. After all, if they came to consider the matter carefully, it must be allowed, for reasons which he need not for the moment attempt to advance, that the teacher who had been accustomed to teach children was the best person to continue that instruction. What would the children think if they found their regular teachers eliminated for a short period during school hours and a stranger brought in to give them religious teaching? While it was possible and probable that a clergyman in a country school might be qualified to give religious instruction to the children, yet he had never been brought up, as the teachers had been, to inculcate into the minds of small boys and girls what he knew. Corroboration of that view, could be found in the words of the present Parliamentary Secretary to the Board of Education. Mr. Thomas Lough, who speaking in the House of Commons in May last said—

> "It was the teachers who knew the way to a child's mind better than anybody else."

He did not think anybody would contradict that. It was the teacher who had been accustomed to be with the children, and it was the teacher to whom the children looked for information of all kinds. Proceeding, Mr. Lough said—

> "They might as well put aside humbug and admit that in a great many of what were called the homes of the country there was no facility whatever for giving religious instruction. He went a long way with those who said the State ought to come in and supply the gap if the parents failed to do it. They ought to look at this subject, not from the standpoint of the House of Commons, but from the standpoint of the child who now saw great palaces built for him where he met a friend in his teacher who loomed large in his mind."

He thought that showed beyond doubt that at any rate the Parliamentary Secretary to the Board of Education realised that there was only one person to teach the child whether in religious or secular matters, and that was the teacher to whom he had been accustomed in the school. Therefore, he endorsed most cordially all that had fallen from his noble friend behind him, and from the most rev. Primate on the subject, and he would like to know on what grounds the President of the Council objected to the teacher's being the person to whom these children were to look for instruction in the future.

THE BISHOP OF ST. DAVIDS asked how this clause stood in relation to the principles on which the Bill had been framed. This clause was an absolute contradiction of the principle of popular control, and therefore it was inconsistent with the first principle of the Bill. One distinguished critic had well said that this Bill was free where it ought to be compulsory and compulsory where it ought to be free. How did it stand in regard to the abolition of tests? If it was necessary to have this clause in order that tests might be abolished, how did they stand in regard to Clauses 4 and 5 in the Bill as introduced by the Government? Were tests abolished or were they not when, in Clause 4, the local authority was allowed to permit the teacher to give religious instruction? When asked that Question about the policy of Clause 4 before, the noble Lord said it was a Question that he could not answer "yes" or "no." The noble Marquess had put the Question in another way and he would press it upon the noble Earl. How did this Bill stand in relation to the abolition of tests? If it was necessary, in order that tests might be abolished, to have this outrage upon religious liberty, what about Clause 4? He was very much surprised to notice that the Minister for Education had said that this clause was absolutely necessary to the Bill. His words were—

> "It was impossible for the Government to accept the Amendment which would, in homely vernacular, knock the bottom out of their own Bill."

He was very greatly perplexed as to how the omission of a clause which absolutely contradicted the principle of popular control could be said to 'knock the bottom out of the Bill.' When the motion in favour of all round facilities in all schools was moved by Lord Balfour of Burleigh, while it was admitted on all sides that the proposal was simply just, it was said to be impracticable because it would bring in outsiders to teach. But His Majesty's Government were going out of their way, in direct contradiction of the principle of popular control, to bring in outsiders to teach. They had been told with all sincerity that His Majesty's Government's position was that although undenominational teaching was to be the normal state of things in the land, nevertheless they desired within certain limits in transferred voluntary schools to tolerate denominational instruction, and they had said over and over again that not only in Clause 4 but in Clause 3 they intended that instruction to be real. But as had been said over and over again in the House of Commons as well as in their Lordships' House if that instruction was to be real it must be given by trained teachers. He wanted to ask how this direct prohibition of the members of the staff from giving, under any circumstances, facilities instruction was consistent with the pledge definitely given that the toleration of religious instruction in Clause 3 schools should be real. He was exceedingly anxious that they should come to some reasonable compromise on this very difficult question, but if the Government were going to go in for the Bill, the whole Bill, and nothing but the Bill, he did not think they would gain the confidence of the people of the country, who loved justice and also required efficiency in education.

*LORD AMPTHILL said the noble Lord whose Amendment the Committee were discussing put forward a claim on his own behalf, and gave some advice to their Lordships. The claim of the noble Lord was that he was better able and had a better right to interpret the opinion of the people on this question than anyone on the Opposition side of the House; his advice was that the House ought not to pass anything which might not be approved by the House of Commons. He disputed the claim of the noble Lord no less than he resented his advice.

LORD MONKSWELL: I never said that at all.

*LORD AMPTHILL said that the noble Lord stated that it would not be wise to pass anything in their Lordships House in the way of Amendments which might not find acceptance in the House of Commons. He was sure that their Lordships would resent this thoroughly pusillanimous advice. This House was accountable for its actions not to the House of Commons but to the nation alone, and when matters of high principle so vital as those which they were now discussing were under consideration they could have no other guide for their action than that which they deemed to be right. The opinion of the majority of the House of Commons, however strongly endorsed or influential it might seem to be to those who held the same views, could not and ought not to influence their Lordships in regard to questions of principle. He had proposed that this clause should be omitted, and the reason he had done so was that the clause as it stood involved a serious interference with personal liberty and religious freedom. Indeed, the sub-section as it stood actually imposed a religious disability, and he was bound to say that it seemed to him almost incredible that a Liberal Government should have come to such a pass as this in following the devious by-ways of expediency instead of adhering to the straight road of principle. The Lord President himself had admitted that the clause imposed a religious disability. He admired the candour of the Lord President, but he was astounded that he should have made that admission, and in so light and airy a fashion. The Lord President had minimised that disability and spoken of it as a poignant disappointment. He appeared to exaggerate what he declared to be the desire of the teachers of this country. It must be pretty evident to their Lordships that there was another opinion, and a very strong opinion, in the country to the effect that the disability which was admitted by His Majesty's Government was about as serious and vital a one as could possibly be inflicted on a citizen. What was it in fact? The subsection laid down that except in schools in which extended facilities were accorded no teacher was to be permitted to give any form of religious instruction except that jejune barren form known as Cowper-Temple teaching. He would be unnecessarily taking up their Lordships' time if he dwelt upon the arbitrary and tyrannical nature of this proposal, seeing how well it had been exposed and explained by the most rev. Primate. In his view the subsection was not only an anachronism, but a retrograde step in the direction of medieval religious intolerance and persecution and a lamentable departure from the liberal principles which had always characterised the Governments of this country. The meaning of the subsection was that men and women who were trained to instruct the young and were consequently best qualified to do so would be forbidden to speak to them of the faith which was in them, the faith that was the rule and the guide of all their thoughts and actions. It meant that the spiritual welfare of millions of children passing through the schools would be greatly injured and jeopardised. No doubt the noble Lord the Under-Secretary for Foreign Affairs would tell them that that was one of the "charms" of the Bill. He could well imagine that to those who saw in this Bill an opportunity for paying off old scores by doing an injury to the Church of England there might be some charm in this clause. Revenge no doubt was sweet, but it was no part of the duty of Parliament to pander to the vindictive malevolence of any section of the community. Probably he would be asked how about the popular mandate of "No tests for teachers." On no part of this intricate question had there been more confusion of thought or more pernicious nonsense talked than in regard to this very point of tests for teachers. While he did not put in any particular claim on his own behalf in this regard he might say that there were many noble Lords on that side of the House who were just as well qualified as noble Lords opposite to say what was thought and meant by the people when they said they would have no tests for teachers. What was this cry of no tests for teachers? It was an election cry, and he found no fault with it as such. Election cries had to be brief, and this expressed in a brief and convenient form the existence of a grievance amongst a particular section of the community and the consequent necessity for redress. That was what the cry of no tests for teachers meant. The people, he was certain, did not understand it, because it was not explained to them and they did not know all that the cry connoted. He was equally certain that they would not approve of the particular mode of redress of the grievance which was now proposed in this Bill. They never dreamt that their acquiescence in the cry would be taken to mean that they were asking for the imposition of disabilities far more intolerable than those they desired to see removed. Let them clear their minds of cant on this subject and go to the root of the question. There was a grievance. What was it? It was simply this, that Nonconformist teachers had not the same chances of appointment and promotion as teachers who belonged to the Church of England. The proper remedy for that grievance would be a national system of education either wholly secular or wholly denominational. Under the latter system the number of teachers being in proportion to the number of their co-religionists, every teacher would, as a matter of course, find a place in a school of his own faith. But that was not the method of this particular Bill. They must, therefore, endeavour to remove the Nonconformist grievance without imposing unjust and even cruel disabilities upon those belonging to other denominations. In his opinion the Bill as it had already been amended went far in the direction of removing the difficulty without the insertion of special provisions, and since religious instruction was to form an essential and an integral part of public education and was to be in accordance with the wishes of the parents, it followed as a matter of course that wherever there were Nonconformist children to be taught a Nonconformist teacher would be required and would be appointed by the local education authority in consultation with the parents and the managers or in whatever manner the machinery of this Bill might provide. Similarly, where there were Church of England children, a Church teacher would be appointed, and where there were those who desired no form of religious instruction but preferred plain moral teaching it would be possible, supposing they were in sufficient numbers, to secure the appointment of a secular teacher. He agreed, however, that it was necessary to provide specifically that Nonconformist teachers should be appointed where there were Nonconformist children to be taught, and Church teachers where there were Anglican children. It was with that object in view that he had put down an Amendment on the Paper, in the sincere belief that he was offering and suggesting a compromise which might be accepted by reasonable men of all parties without any sacrifice of principle. He was of course open to conviction, and there might be better ways of amending the clause. When it came to the point perhaps he might be permitted to explain in very few words the purport of the subsection he had suggested, but it would be improper for him to do so at the present moment.

*LORD STANLEY OF ALDERLEY did not think it was convenient to discuss the whole of this clause on the first Amendment. What he understood was that they should discuss the permitting of the teachers to give religious instruction. The clause divided itself into two parts. It was one thing to concede to the teacher the right to give this instruction, but it was quite another and a different thing, which would arise later, whether there should be any tests or quasi-tests for teachers. There was an Amendment lower on the Paper which practically imposed tests for teachers, but that would be dealt with when they came to it. He proposed to address himself to the point before the Committee, whether not merely in the case of present but of future teachers permission should be granted in the ordinary Clause 3 schools for them to give definite religious instruction. He should like to say at once that if the offer of the noble Lord below the gangway had been accepted as a settlement he would have been very glad to support his proposal, not exactly for the reasons which he had given, but for other reasons which were satisfactory to himself. On the Second Reading of the Bill the noble Marquess on the front opposition bench illustrated from his own school at Seaham the great difficulty in connection with this question. If it would lead to a settlement he thought that the power of using the teachers who were now in the denominational schools would very much ease the process. It would, however, be one thing to call upon those interested in definite denominational teaching to fill up gradually the gaps where there might be twenty teachers teaching, and where only one or two dropped out in the course of a year, and another thing to find at the present time twenty new teachers to go into a school. That was the reason for his saying that if it were accepted as a settlement he should be willing to support the proposal as to the teachers now in the schools. But he felt in reference to the future that it was quite a different matter. He had no doubt in what the noble Lord had foreshadowed that there would be an attempt on the part of some local authorities to define what the theological or ecclesiastical preferences of the parents of the children were, and they might try to make up a patch-work of teachers to match with the patch-work of children which they imagined existed in the schools. But that was not his idea of a national system of education. His idea of a national system of education was one under which the children of a schoolhouse should forget the theological differences which kept them apart on Sundays, and feel that they had come together to be taught the common duties of citizenship by teachers selected for the responsible position they occupied because they were good citizens. He quite agreed with the most rev. Primate that the teachers who for years had been engaged in denominational schools, giving religious and moral teaching through the medium of the ecclesiastical formulæ in which they were brought up, would be a little at a loss if they were thrown back upon the general methods which prevailed in council schools. Perhaps the most rev. Prelate was not aware that in the college which he visited fully half of the certificated teachers must have been engaged for some years teaching in board schools, and he would like the most rev. Prelate to have asked those excellent women who had been working most faithfully in the board schools of London and other large towns whether those moral and religious principles inculcated in their college days had been carried into practical effect in after life, and he would further remind the most rev. Prelate that these mistresses at the most impressionable period of their life, and when fresh from their college influences, had at least half of them sought the service of school boards where they would have to give undenominational teaching. He felt sure that when the noble Earl spoke of Cowper-Temple religion he was speaking in very great ignorance of that teaching as it was given in board schools. He quite agreed that the mass of the teachers in this country were glad to have religious teaching coupled with secular teaching. He agreed with the mass of thoughtful and earnest teachers that in the religious lesson they had a convenient opportunity for speaking seriously and thoughtfully to the scholars. But he undertook to say that an earnest teacher, wishful to influence the children, would find in the lessons of the Bible ample opportunity and scope for impressing upon them the highest and best of moral lessons. The essence of teaching was in the personality of the teacher. He had referred once or twice to Lord Cross' Commission, and perhaps of all the witnesses one of the most interesting was a mistress from a small village church school in Sussex, whose name was sent in by one of the Government inspectors who were asked to submit the names of some of the most thoughtful witnesses to represent different phases of character. Her name was Miss Castle, and she impressed the whole Commission with the earnestness and intensity of her character. She was teaching in a Church school, and when it was put to her whether she valued the help she got from Church teaching, she said that she valued religious teaching, but that an earnest teacher could give a good lesson from any noble life or noble character from anything that appealed to the emotions and feelings.

After all, it was the personality of the teacher that was effective, and what was of the greatest value was the personal contact of mind with mind and soul with soul. The machinery which set that in motion was comparatively unimportant. He would say to the most rev. Primate that in his conversations with the teachers he must have found many who might have told him that they had found ample opportunities in the Board Schools to impress their lessons upon the children. He would undertake to say that if they looked through the records they would find that of those teachers who were said to be yearning for religious teaching, half were serving in the Board Schools of this country. Under the School Board for London they had had Roman Catholic teachers, counted by hundreds, who were conscientious and faithful in the discharge of their duties. Those teachers would value the opportunity of appealing to the forms and beliefs which distinguished their creed, when they were speaking to other members of their Church, but they had felt that in teaching a general class they might make effective appeals to the common Christianity of the children. They might easily exaggerate the necessity for these forms and formularies, and he did not believe that the training of a definitely ecclesiastical college was better than that of a broad and liberal college. He might put some reservations with regard to pedagogic efficiency, but for inspiring earnestness and enthusiasm and those qualities which were the very basis of usefulness and value to the teacher, they would get them quite independently of those ecclesiastical associations which they valued so much. They relied too much on forms and outside influences and machinery, and forgot that the living man and woman after all were the real forces.

THE LORD BISHOP OF ST. ASAPH said he had listened with great interest to the speech of Lord Stanley of Alderley. The noble Lord had said that their aim should be to teach the children to forget religious differences. For himself he thought their aim should be rather to teach them what was real and true. The burden of the noble Lord's speech was that they did not want formularies, and that formularies were quite unnecessary for the teaching of religion. He ventured to ask if the formularies were unnecessary, why were special facilities given in the Bill? The noble Lord also said that it all depended on the character of the teacher. When so much depended on the teacher, as they all agreed, why should they fetter the teacher with all these restrictions? Why fetter him with restrictions and make him an unworthy teacher?

They were told that this Bill was founded on the principles of public control and the abolition of tests for teachers. Personally, he most cordially accepted those principles, but the reason he quarrelled with the Bill was that it did not apply them fairly. It was public control fettered by a number of restrictions and qualifications. The same thing applied to the question of tests. They abolished a positive test and forthwith established a negative test. In his view this negative test proposed was harsher, if not a greater infringement of conscience, than the positive test. Personally, he desired to see the abolition of tests made complete. The honour of the teacher was, in his opinion, the best certificate they could have of the character of the religious instruction given in the schools. He hoped subsection (1) of the clause would be omitted, and that they would give the teachers perfect freedom. While he sympathised with the motive of the first Amendment moved to this clause he could not help feeling that it was rather nibbling at the principle. If it was right to protect the teachers already in the schools, he could not see why the principle should not be applied in its completeness. It seemed to him that everything was moving in this direction, that the only final solution of the question would be the establishment of all-round facilities. He regretted the withdrawal of the Amendment moved by Lord Balfour of Burleigh. He thought it would have been much better to have adopted the principle in that Amendment in its entirety. He hoped they would not be afraid of carrying out the principle of the abolition of tests completely, and that they would not insert anything in the Bill which would give a colour to the charge made against them that they were biassed on the side of trying to establish once more and by a side wind the imposition of tests.

THE EARL OF CREWE: My Lords, I am really ashamed of rising again to make a second speech on this clause, but it is not entirely my fault. I notice that when I delay rising to take part in the debate some noble Lord gets up from the bench opposite and expresses himself as shocked that I have not thought it necessary to attempt to reply to the unanswerable arguments addressed to me. On the other hand, if I take part in the debate almost immediately after the Amendment is moved I subsequently find myself, as I do now, obliged to answer various questions which are put personally to me and with which, therefore, I have to deal. The consequence is, that I have to speak a great deal more than I like myself and I am afraid a great deal more than noble Lords opposite can like.

In the first place, I desire to say a word in reply to the challenge of the noble Earl opposite, Lord Cawdor. The noble Earl, as he had a right to do, and with the most absolute fairness, asked how we could explain the language of a certain speech, made by my right hon. friend Mr. Birrell in reply to a deputation, when we compared it with the Bill as it reached this House. I think the noble Earl must see that I am in fact one of the worst persons to whom he could have put that question, and for this reason, that when one knows what is at the back of a man's mind when he is using a particular phrase it is difficult for one, as it is difficult for me in this instance, to place oneself in the position of those who do not know what my right hon. friend was thinking of.

If I might I would use an illustration. Supposing somebody had asked the noble Earl before the Amendments to this Bill were placed on the Paper of your Lordships' House what their character was, he would have said that they were of a moderate and reasonable character, not at all incompatible with the main principles on which we were professing to act, and by no means inconsistent with the vote given for the Second Reading. When these Amendments were printed various people might have felt disappointment at the terms in which they were couched, although the noble Earl would have merely expressed the view that he took of them; and other noble Lords on that Bench who had also seen the Amendments, knowing what was in the noble Lord's mind, would have thought that he had given an exceedingly fair and proper description of the Amendments themselves. Consequently I can only say that when I read my right hon. friend's speech in reply to the Jewish deputation I did not take it as involving a pledge that all denominational schools would go on for ever exactly in the manner in which they are going on at present without any kind of change whatever. Still less could I think so, knowing that the repairs to those schools were going to be handed over to the local authority.

What I conceived my right hon. friend meant, and what I still conceive he meant, knowing, as I did, of course, all the circumstances, was that he was describing what he believed in effect would be the operation of the clauses when they appeared in the Bill. I cannot help thinking that I was not alone in holding that belief, because if the denominations had supposed, as the noble Earl opposite appears to have supposed, that these schools were going to be permanently preserved in exactly their present position, with full denominational teaching and appointment of teachers by the denomination and all the rest of it, my right hon. friend would have been the most popular man in the country with the Church of England and other denominations, and I think he might almost have entered into competition with the noble Viscount opposite for the Presidency of the English Church Union. Instead of that, after that speech, as before, we find that the various denominations who feared that they would be prejudicially affected by our Bill remained in a state of what I can only call rather sullen attentiveness, occasionally punctuated by prophecies of the monstrous things we were likely to do owing to our well-known bad character in these matters. Consequently, I really think the noble Earl is hardly fair to us, and is altogether overstating the case when he speaks of our having given a pledge for the permanent continuance of these schools in the manner in which they exist at the present time.

Earl CAWDOR said the point with which they were dealing was that of the teachers. What he suggested to the noble Earl was that there was a pledge that the same teachers should be kept on, and he gave the noble Earl the exact words used by the right hon. Gentleman when he made that statement to the Jewish deputation. The words were—

> "The intention of the clause certainly is that the teachers should remain the same as they are."

THE EARL OF CREWE: I quite agree, and, knowing as I do what my right hon. friend meant, it seems to me a very reasonable way of putting what he conceived would be the effect of the clause. He undoubtedly hopes and believes that the teachers will remain on. I think the speech which the noble Marquess Lord Londonderry quoted even more strongly confirms the view I have just stated, because there my right hon. friend spoke of the continuance of the teacher as a matter of expectation and not as one of a pledge or a promise.

THE MARQUESS OF LONDONDERRY: I beg the noble Earl's pardon, The President of the Board of Education said, referring to his reply to the Jewish deputation—

> "I said what I meant, and I meant what I said. The result is intended to be the same with regard to the religious teaching which goes on and the teachers who give it."

THE EARL OF CREWE: I entirely agree, but I am unable to put the same construction on the words as noble Lords opposite. In these circumstances I am afraid we are not likely to agree, and it is not much use for me to pursue the matter.

THE MARQUESS OF LONDONDERRY: But does the noble Earl agree entirely with what we have said or with what the President of the Board of Education said?

THE EARL OF CREWE: I am afraid I must leave the noble Marquess holding a different opinion from that which we on this side of the House hold. Then the right rev. Prelate the Bishop of St. David's asked how it was, with our devotion to the principle of popular control, that we could break through that principle by not permitting local authorities to allow teachers to give this teaching if they chose. Well, my Lords, when we use the phrase "popular control" we frankly admit that we do not mean in every case unrestricted control by the local education authority. If we did we should clearly have to abolish the Cowper-Temple clause, which we have not, as noble Lords know, the faintest intention of doing; and I am surprised, I confess, to hear two right rev. Prelates from Wales, I will not say advocating, but suggesting, the possibility of complete control by the local education authority, because, if the Church schools were handed over to the unrestricted control of the local education authorities in Wales, I am afraid they would receive very much harsher treatment than they are receiving in this Bill.

THE LORD BISHOP OF ST. ASAPH: I am extremely sorry to interrupt the noble Earl, but I should like to say that by local control I mean control by the people who are immediately interested in the school, and not control by the central county authority.

THE EARL OF CREWE: Not by the local education authority. The right rev. Prelate the Bishop of St. David's asked me another question with reference to tests for teachers, but I am in agreement with my noble friend behind me that it would be almost better to postpone the whole consideration of that question until we touch on subsection (2). Subsection (2) is the subsection which deals with this matter of tests for teachers, and I think it is almost better to confine the discussion on subsection (1), as far as possible, to the question of whether the teacher should be allowed to give this special instruction in the elementary schools.

* THE MARQUESS OF LANSDOWNE: My Lords, my noble friend Lord Ampthill observed just now that there appeared to be considerable confusion of thought with regard to the matter before the Committee. I think that was a very appropriate remark, and, if I may be permitted to say so, I do not think that we on this side of the House are entirely responsible for the confusion which has arisen.

* LORD AMPTHILL: I am unwilling to interrupt the noble Marquess, but I should like to say that when I spoke of confusion of thought I was referring

to the general popular discussion of the question of tests for teachers and not exactly to what was going on in the Committee at that moment.

* **The Marquess of LANSDOWNE**: I did not in the least misunderstand the meaning of my noble friend, and I am sorry if I did not correctly describe it. We have in this Bill a clause which I think to most of those who read it must seem an ambiguous clause, and in the next place we have explanations of that clause which are more ambiguous still. We ask ourselves whether, under that clause, it is intended that the local education authority is to be free to satisfy itself whether the teacher is willing and able to give religious instruction of a particular kind, and we desire to know whether the authority is to be in a position to get rid of a teacher who has been appointed with the intention that he should give that instruction and who shows his unwillingness to give it. We have endeavoured to obtain explanations upon this point, and——

The Earl of CREWE: I am sorry to interrupt, but I did not understand that the last point had been raised. I understood that it would be left over to subsection (2).

* **The Marquess of LANSDOWNE**: Then I will confine myself to what fell from the noble Earl just now. He has undertaken, or attempted, to explain away the statements made by his colleagues and quoted with much effect by my noble friend Lord Cawdor. He has told your Lordships that we have failed to understand the statements made by his colleagues because we did not exactly know what was at the back of their minds. Now I confess I should very much like to know what is at the back of the noble Earl's mind, because I do not think that in either of the speeches which he has delivered this evening he has made that quite evident to the Committee. Let me remind him, because we have a right to press this point, that we have been told categorically that, as far as the intentions of the Bill were concerned, it was not intended that any restraint should be placed on the local authority in satisfying itself that teachers who undertook to give religious instruction are not unqualified to give it. Let me also remind him again that it has been stated by the Minister for Education that the teachers in the Clause 4 schools were to remain the same as they are now —those, namely, who are most qualified to give the particular religious instruction which has hitherto been given in the schools. Let me also remind him that a very much respected colleague of his, Sir Henry Fowler, stated that Clause 4 of the Bill completely saved the position of the denominational schools. We search the Bill in vain for the provisions which give effect to those categorical pledges. The noble Earl's statements upon the point are very far from reassuring. He has told us this evening that he never contemplated that these assurances gave any security to the denominational schools that they should retain these privileges for ever. That carries us back to the remarkable statement which he made last week when he told us it had always been the intention that this privilege might, after the expiration of five years, be withdrawn at the free will of the local education authority and without any appeal.

My Lords, could any of us when we read the statements to which I have just referred have believed that they pointed to a condition of things under which these schools, for which so much was promised, were only to have five years tenure of the advantages which were offered to them? The noble Earl himself falls back upon his own anticipations. "Great expectations" may be taken as his motto. He told us the other night that he expected, and "rather thought," that denominational teachers would be appointed to these schools by the local authority. That is not quite enough for us. We want something more than these pleasant anticipations. He went on to say it would be within the competence of the local authority to appoint teachers of this kind. It may be within their competence, but we want something a little more substantial than that. Surely, my Lords, the time has come when these ambiguities ought to be cleared up. The noble Earl has had an opportunity to-night and I regret to say he has not availed himself of it.

To my mind there is one view and one view only which is tenable with regard to this subject, and it is that it should be the duty of the persons who are responsible for the appointment of these teachers to satisfy themselves that they are competent and willing to give the kind of instruction which they will be expected to give. If that is not to be the case then I ask, What becomes of all these pledges to which I have just referred? What becomes of that parents' committee which was accepted the other evening by his Majesty's Government without making a wry face? Let me remind your Lordships that the parents' committee is to have the duty of controlling the religious instruction given in these denominational schools. How can it control the religious instruction given in the schools if it is to have no voice or part in the appointment of the teachers? Then there is the question of the removal of teachers. We have been told that, if a teacher is objected to and has to be deprived of his charge so far as religious instruction is concerned, he is to be replaced by another teacher. How is the local authority to satisfy itself that that teacher is competent unless it may address to him inquiries of the kind which we are now told are to be regarded as out of order? And, my Lords, in the Cowper-Temple schools themselves, are we to believe that where a syllabus of the kind which has been mentioned with approval in these debates is in use, the local authority is not to be at liberty to satisfy itself that the teacher is willing and competent to give the instruction contained in that syllabus?

Last of all, let me remind the Committee of that which is to be found in Clause 11 of this Bill. If your Lordships will look at Clause 11—it is the clause which deals with the temporary appointment of teachers—you will find that it is expressly enacted that the authority—

> "Shall permit the religious instruction given in the school to be of the same character as that previously given, and shall also permit the teachers in the school to give that instruction as part of their duties, and if a vacancy arise in the office of teacher while the schoolhouse is used under this section, the local education authority shall, in choosing the teacher, appoint a teacher who is willing to give the religious instruction required under this section."

I say, how can these things be done if we are to have nothing but a kind of vague anticipation that the local education authority may perhaps satisfy itself as to the willingness and the competence of the teacher? I will not travel again over a part of the subject which has been more than once treated to-night—I mean the grievous injustice done to the teachers as a class by these provisions of the Bill. I had the honour of receiving an influential deputation from a large number of Church of England teachers, and I carried away with me a lasting impression of the deep indignation felt by these gentlemen at the slight put upon them by this portion of the Bill.

The noble Earl expatiated upon the importance of the teaching profession and upon its numbers and the consideration to which teachers were entitled, and he said that these provisions were intended to afford the teachers protection against the kind of pressure to which he expected they would be subjected. My Lords, I remain firmly convinced that the teachers do not desire protection in the form in which it is offered to them by His Majesty's Government, and that, on the contrary, they resent, and resent justly and deeply, that they should find themselves in the position of being suddenly ordered to discontinue giving a particular form of instruction which in their mind is the most important of all, and the withdrawal of which diminishes their influence and their authority in giving all other portions of the education which they have to impart to their pupils. In my view, no settlement of this part of the case will be satisfactory unless it enables the local authority, even in Cowper-Temple schools, to satisfy themselves that the teacher is competent and willing to give the desired form of instruction, and provides that in Clause 4 schools, the denominational character of which you intend to preserve, special steps should be taken, preferably through the agency of the parents' committee, to render it beyond doubt that the teacher really is a person in every way qualified and willing to impart the particular form of religious instruction which is to be given in those schools.

*The Marquess of RIPON: My Lords, my noble friend who has just sat down commenced his observations by saying he thought there was a great deal of confusion on this subject. I quite agree with my noble friend. There has been a very great deal of confusion during this discussion, and one of the chief reasons for it has been that noble Lords opposite have applied language used by my right hon. friend Mr. Birrell and others with reference to Clause 4 as if it applied to Clause 3 and to the other clauses of the Bill. That is not so. The quotations which have been made from Mr. Birrell's speeches were all, or most of them, applicable to Clause 4, and to that clause they remain applicable; and I believe the pledges given in them, so far as they can be called pledges, have been fulfilled. We have travelled over a large space in the discussion of this clause, and I am not about at this hour to detain your Lordships long enough to follow the somewhat wandering discussion which has taken place in regard to it. But I must be pardoned if for a moment I do pass beyond the exact limits of the clause in order to say a word about some remarks of the noble Marquess opposite, Lord Londonderry, which I confess filled me with surprise. The noble Marquess appeared to be very displeased with me——

The Marquess of LONDONDERRY: No, surprised.

*The Marquess of RIPON: Well, surprised if you like. I have not the slightest objection to use the word "surprised" instead of "displeased," though I did think there was a slight flavour of acrimony about the tone of the noble Marquess. But my offence was this, that I voted with the noble Marquess. No doubt I did vote against Clause 7. The noble Marquess thought it an extraordinary thing. He seemed never to have heard of open questions among the members of a Government. Did he never hear of Catholic Emancipation? Did he never hear of open questions on the Ballot Bill? All that I can do to remove the bad impression left on the mind of the noble Marquess by my proceeding is to assure him that I will use my utmost endeavours in the future never to vote in the same lobby as he does. I think there has been an inclination on the part of those who have spoken on this subject—one of which I thought I discovered a trace even in the able speech of the most rev. Primate—to speak as if my noble friend behind me, the Lord President of the Council, and those who sit beside him were out of sympathy with the teachers. That I beg to deny. My noble friend used very sympathetic language in regard to them. I certainly for myself feel great sympathy with them and a great desire to meet their wishes and their feelings as much as may be possible. But, my Lords, what I feel about the matter is this. I am afraid that if you remove the restriction which in this clause is placed upon the teachers giving denominational instruction in Cowper-Temple schools you will undoubtedly render the whole system of this Bill unworkable.

That system, except so far as it is contained in Clause 4, is founded, as your Lordships know, upon what is called Cowper-Temple teaching. I am not going to discuss that question now. It would take much too long. Indeed I will not touch upon it at all; but I do say this, that I am convinced that if you allow the teachers in these schools giving Cowper-Temple teaching also to give in the schools denominational instruction, you will, particularly in the country districts, create a state of feeling which will render it exceedingly difficult to work this Bill or any Bill like it. You may rely upon it that if that is done there will be constant difficulties arising and constant criticism of the teacher. I firmly believe—I regret to believe it, but I do believe it—that, particularly in country places, the irritation which has existed for some time and which lies very much at the bottom of the present feeling on this subject and all the difficulties which have been created by the unfortunate Act of 1902, will be greatly increased, and that, instead of making this Bill a means of settling a great and difficult question, you will only tend still further to aggravate the evils which at present exist.

THE DUKE OF DEVONSHIRE: My Lords, I must apologise most sincerely for intervening for a moment after the leaders have addressed the House. But, those noble Lords having spoken, I presume we are on the eve of proceeding to a division, and I think it would be extremely convenient if we knew more clearly than I, at any rate know, on what we are going to divide. The Amendment before the Committee is, I believe, the Amendment moved by the noble Lord below the gangway, Lord Monkswell. But I understand that it is not his intention to press that Amendment. I do not know that it is the intention of the noble Lord Lord Ampthill to press his Amendment either. Then the next notices which appear on the Paper are in the names of a number of noble Lords for the omission of this subsection. But there is, below those notices, an Amendment in the name of my noble friend Lord Cawdor, proposing to amend the subsection, which I presume, if he moves it, would be put before the Amendment to omit the clause. I should like to know whether it is the intention of my noble friend Lord Cawdor, after the way has been cleared for him, to move his Amendment.

EARL CAWDOR: Certainly.

THE DUKE OF DEVONSHIRE: If so, I must point out that it is a very different question from that of the omission of the subsection. The Amendment of my noble friend only appeared on the Paper this morning.

EARL CAWDOR: On Saturday.

THE DUKE OF DEVONSHIRE: I only saw it this morning.

EARL CAWDOR: The noble Duke will find that it was delivered on Saturday morning.

THE DUKE OF DEVONSHIRE: Well, I was not in town on Saturday, and, as a matter of fact, I did not see it until just before I came to the House. This Amendment appears to me to raise some questions which, judging from the discussion which has taken place, very few noble Lords have considered, or have thought it worth while to give expression to their opinions upon. I desire to point out, before we go to a division on that subsection, that this Amendment of my noble friend raises an entirely different question from that which is raised by the Amendments to omit the subsection. If the subsection is omitted I presume that it would be within the competence of the local education authority to decide whether or not teachers should be allowed to give religious instruction under the ordinary facilities conceded by Clause 3. But my noble friend, by his extremely ingenious Amendment, would carry his object a great deal beyond that, and make it compulsory on the local authority to give that permission to the teachers.

EARL CAWDOR: Hear, hear.

THE DUKE OF DEVONSHIRE: Those are two different things, and as far as I have listened to this debate I have not observed that the slightest attention has been drawn to that distinction. Certainly with the short amount of consideration which I have been able to give to it, I should not be prepared to vote for the Amendment of my noble friend Lord Cawdor, principally for the reason that while I might sympathise with its object I do not believe that it could be carried into practice. These enactments would be unnecessary except in the case of unwilling local authorities, and, though you may enact whatever you like, I do not think it would be possible to force an unwilling authority to allow its teachers to give the religious instruction which is asked for. It is perfectly competent for an unwilling authority to say, "You may compel us to allow our teachers to give Church teaching, but we will take good care that Church teachers in future will never be appointed to give that instruction." Therefore it seems to me that the effect of this Amendment might be to impose a test which we are all most anxious not to do, which would act against the interests of the Church itself. I am not going into the further discussion of the subject now, but I think we ought at all events to know whether we are going to divide on the proposal of my noble friend Lord Cawdor or on the Amendment to omit the subsection.

EARL CAWDOR said what he had meant by his Amendment was distinctly to make this an absolutely binding requirement on the local authority, and he believed he had made his intention clear. What they were endeavouring to do by this Amendment was to free the teachers, and not to put odious and undeserved restrictions upon them. They were not seeking to put on them tests of any sort or kind, but they were seeking to prevent the local authority putting on them restrictions which they thought were unjust.

THE CHAIRMAN OF COMMITTEES: The Amendment before the Committee is that moved by Lord Monkswell, which I understand the noble Lord does not intend to press.

LORD MONKSWELL: I do not press the Amendment.

Amendment, by leave, withdrawn.

THE CHAIRMAN OF COMMITTEES: The question now is what Amendment your Lordships will be asked to divide upon. The usual practice is to take them in order on the Paper, but where it is proposed to leave out the whole of a clause that Amendment naturally comes at the end after any Amendments proposed to the clause. I believe it is the practice of this House and also of the other House that when it is proposed to leave out a part of a clause, or even a whole subsection, such an Amendment that comes in the place where it is put down. Your Lordships are masters of your own procedure, and it is a question whether it would be more convenient for the Committee to consider the Amendment of the noble Earl on the front Opposition bench before proceeding to consider the question of the omission of the subsection. In all probability your Lordships will think that it would be better to take the Amendment of the noble Earl to the subsection before the question of the omission of the subsection. I gather that that is the general sense of the Committee, and I will proceed to put it in that form.

Amendment moved—

"In page 6, line 37, to leave out the first 'not,' and to insert 'be permitted by the local education authority to.'"—(*Earl Cawdor.*)

On Question, "That the word 'not' stand part of the clause," their Lordships divided:—Contents, 46; Not-Contents, 147.

CONTENTS.

Crewe, E. (*L. President.*)

Ripon, M. (*L. Privy Seal.*)

Devonshire, D.
Manchester, D.

Beauchamp, E.
Carrington, E.
Chesterfield, E.
Chichester, E.
Craven, E.
De La Warr, E.
Durham, E.
Fortescue, E.
Portsmouth, E.
Temple, E.

St. Asaph, L. Bp.

Boston, L.
Burghclere, L.
Castletown, L.
Coleridge, L.
Courteney of Penwith, L.
Denman, L. [*Teller.*]
Elgin, L. (*E. Elgin and Kincardine.*)
Eversley, L.
Farrer, E.
Fitzmaurice, L.
Glantawe, L.
Grimthorpe, L.
Haversham, L.
Headley, L.

Hempthill, L.
Kinnaird, L.
Lyveden, L.
Monkswell, L.
Nunburnholme, L.
O'Hagan, L.
Pirrie, L.
Reay, L.
Rendel, L.
Ribblesdale, L. [*Teller.*]
Sandhurst, L.
Saye and Sele, L.
Stanley of Alderley, L.
Tweedmouth, L.
Wandsworth, L.
Weardale, L.
Welby, L.

NOT-CONTENTS.

Canterbury, L. Abp.

Norfolk, D. (*E. Marshal.*)
Grafton, D.
Marlborough, D.
Newcastle, D.
Northumberland, D.
Portland, D.

Richmond and Gordon, D.
Wellington, D.

Bath, M.
Bute, M.
Camden, M.
Lansdowne, M.
Salisbury, M.

Winchester, M.

Ashburnham, E.
Camperdown, E.
Cathcart, E.
Cawdor, E.
Dartrey, E.
Denbigh, E.

Doncaster, E. (*D. Buccleuch and Queensberry.*)
Feversham, E.
Haddington, E.
Halsbury, E.
Hardwicke, E.
Ilchester, E.
Jersey, E.
Lathom, E.
Londesborough, E.
Lytton, E.
Malmesbury. E.
Mar and Kellie, E.
Morley, E.
Morton, E.
Nelson, E.
Northbrook, E.
Onslow, E.
Pembroke and Montgomery, E.
Plymouth, E.
Saint Germans, E.
Shaftesbury. E,
Stamford, E.
Stanhope, E.
Vane, E. (*M. Londonderry.*)
Waldegrave, E. [*Teller.*]
Wharncliffe, E.
Yarborough, E.

Bridport, V.
Churchill, V. [*Teller.*]
Colville of Culross, V.
Falkland, V.
Falmouth, V.
Halifax, V.
Hill, V.
Hutchinson, V. (*E. Donoughmore.*)
Llandaff, V.
Ridley, V.
St. Aldwyn, V.

Bangor, L. Bp.
Bath and Wells, L. Bp.
Birmingham, L. Bp.
Bristol, L. Bp.
Chichester, L. Bp.
Exeter, L. Bp.
Lichfield, L. Bp.
Lincoln, L. Bp.
Liverpool, L. Bp.
London, L. Bp.
Oxford, L. Bp.
St. David's, L. Bp.
Salisbury, L. Bp.
Southwark, L. Bp.
Wakefield, L. Bp.
Winchester, L. Bp.

Abinger, L.
Addington, L.
Alington, L.
Alverstone, L.
Ampthill, L.
Ardilaun, L.
Ashbourne, L.
Balfour, L.
Barnard, L.
Barrymore, L.
Belhaven and Stenton E.
Borthwick, L.
Braye, L.
Brougham and Vaux, L.
Carysfort, L. (*E. Carysfort.*)
Cheylesmore, L.
Clements, L. (*E. Leitrim.*)
Clifford of Chudleigh, L.
Clinton, L.
Colchester, L.
Dawnay, L. (*V. Downe.*)
De Freyne, L.
Digby, L.
Ellenborough, L.
Emly, L.
Estcourt, L.
Fermanagh, L. (*E. Erne.*)
Fingall, L. (*E. Fingall.*)
Forester, L.
Gage, L. (*V. Gage.*)
Gormanston, L. (*V. Gormanston.*)
Harris, L.
Hastings, L.
Howard of Glossop
Hylton, L.
Kenmare, L. (*E. Kenmare.*)
Kenyon, L.
Kilmarnock, L. (*E. Erroll.*)
Lawrence, L.
Leith of Fyvie, L.
Lovat, L.
Macnaghten, L.
Manners, L.
Meldrum, L. (*M. Huntly.*)
Methuen, L.
Monk Bretton, L.
Mostyn, L.
Muncaster, L.
Napier, L.
Newton, L.
North, L.
Northbourne, L.
Ormathwaite, L.
Poltimore, L.
Ranfurly, L. (*E. Ranfurly.*)
Ravensworth, L.
Redesdale, L.
Revelstoke, L.
Ritchie of Dundee, L.
Robertson, L.
Rothschild, L.
Sanderson, L.
Sandys, L.
Seaton, L.
Somerhill, L. (*M. Clanricarde.*)
Stalbridge, L.
Stanmore, L.
Stewart of Garlies, L. (*E. Galloway.*)
Vaux of Harrowden, L.
Waleran, L.
Wolverton, L.
Zouche of Haryngworth, L.

Proposed words inserted.

Amendment moved—

"In page 6, line 40, to leave out from 'Act' to the end of the subsection."—(*Earl Cawdor.*)

On Question, Amendment agreed to.

House resumed, and to be again in Committee on Wednesday next.

House adjourned at twenty minutes past Eleven o'clock, to Wednesday next, a quarter past Four o'clock.

HOUSE OF COMMONS.

Monday, 12th November, 1906.

The House met at a quarter before Three of the Clock.

PETITIONS.

PARLIAMENTARY FRANCHISE.

Petition from Brentford, for extension to women; to lie upon the Table.

RETURNS, REPORTS, ETC.

BOARD OF TRADE (LABOUR DEPARTMENT) WAGES (STANDARD TIME RATES).

Copy presented of Standard Time Rates of Wages in the United Kingdom on 1st October, 1906 [by Command]; to lie upon the Table.

BANKING, RAILWAY AND CANAL STATISTICS (IRELAND).

Copy presented of Report on the Banking, Railway and Canal Statistics of Ireland for the half-year ended 30th June, 1906 [by Command]; to lie upon the Table.

LABOURERS (IRELAND) ACT, 1906.

Copy presented of General Rules for carrying into effect the Labourers (Ireland) Acts, 1883 to 1906 [by Act]; to lie upon the Table.

AFRICA.

Copy presented of correspondence relating to the Preservation of Wild Animals in Africa [by Command]; to lie upon the Table.

INEBRIATES ACTS (INSPECTOR'S REPORT).

Copy presented of Reports of the inspector under the Inebriates Acts, 1879 to 1900, for the year 1905 [by Command]; to lie upon the Table.

EAST INDIA (RESIGNATION OF SIR J. B. FULLER).

Copy presented of Statement relating to the resignation of Sir J. Bampfylde Fuller, K.C.S.I., C.I.E., Lieutenant-Governor of Eastern Bengal and Assam [by Command]; to lie upon the Table.

OPIUM (BURMA).

Return presented, relative thereto [Address 3rd July; *Mr. Annan Bryce*]; to lie upon the Table, and to be printed. [No. 348.

BURMAH (OPIUM).

Return presented, relative thereto [Address 30th July; *Mr. Allen Baker*]; to lie upon the Table, and to be printed. [No. 349.]

SUPERANNUATION ACT, 1887.

Copy presented of Treasury Minute, dated 2nd November, 1906, granting to Francis Hancock, sorting clerk and telegraphist, Post Office, a retiring allowance under the Act [by Act]; to lie upon the Table.

BOARD OF EDUCATION.

Copy presented of classified statement of cases in which the premises of voluntary schools subject to Charitable Trusts have been transferred, since 1902, to Local Education Authorities for valuable consideration [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Transvaal Government Mining Returns.

Major SEELY (Liverpool, Abercromby): To ask the Under-Secretary of State for the Colonies whether all Returns of the Government Mining Department in the Transvaal are open to inspection by the public; and, if not, whether he can take any steps in the matter.

(*Answered by Mr. Churchill.*) All Returns of the Government Mining Department in the Transvaal, not specifically of a confidential character, ought to be open to inspection by the public at all times. If my hon. and gallant friend will tell me the particular Returns he has in mind, a telegram will be sent to the High Commissioner on the subject.

Annual Return of Fleets—Return of Guns.

Mr. BELLAIRS (Lynn Regis): To ask the Secretary to the Admiralty whether he will take steps to increase the utility of the annual Return of Fleets, Great Britain and Foreign Countries, by stating in the case of all 9·2-inch guns and above the year's model to which the design belongs, so as to facilitate reference to gunnery tables and to enable the gun-power of ships and especially of reconstructed ships, to be estimated.

(*Answered by Mr. Edmund Robertson.*) The Admiralty consider it undesirable, on grounds of public interest, to issue any such statement with regard to British guns, and are not prepared to take any responsibility for similar information in respect of foreign navies.

Cemeteries and Adjacent Houses.

Mr. H. H. MARKS (Kent, Thanet): To ask the President of the Local Government Board whether he has considered the effect of the recent decision of the Court of Appeal in the case of Godden *v.* The Hythe Burial Board, whereby it is held that a cemetery which is in existence but which does not happen to have been used for burials may be rendered useless as a cemetery by the fact of anyone building a house on the borders of it, and whereby the expense will be put upon the burial authorities of providing a strip of 100 yards wide round any ground they wish to use for burials, and whereby persons who have bought land for family graves, not yet used, would have the right of user taken from them; and whether he intends to deal with the matter by introducing a Bill to amend the existing law.

(*Answered by Mr. John Burns.*) This matter is receiving my consideration at the present time, and I hope shortly to arrive at a decision with regard to it.

Unemployed at Farm Colonies—Expense of sending Voters to London.

MR. FELL (Great Yarmouth): To ask the President of the Local Government Board if he can supply the names of the Committee of the Working Colonies who sent the fifty-two unemployed from Hollesley Bay to London to vote at the borough council elections; what was the amount of the fares and expenses paid for these fifty-two voters; and whether these were the only voters among the 138 unemployed at Hollesley Bay Farm at the time of the election.

MR. FELL: To ask the President of the Local Government Board who has the control of the funds of the voluntary contributions account for the unemployed; and by whose sanction were these funds used for the purpose of sending up voters from the farm colonies to vote at the borough elections in London.

MR. FELL: To ask the President of the Local Government Board if any of the unemployed at any other of the farm colonies, besides Hollesley Bay, were sent up to London to vote at the recent borough council elections; and, if so, how many; and were their fares and expenses also paid out of the voluntary contributions account.

(*Answered by Mr. John Burns.*) I will answer this, and the two following Questions on the same subject, together. The Committee to which the hon. Member refers consists of eighteen members. I will send him a list of their names. The railway fares of the men who came up to vote from Hollesley Bay amounted to £17 11s. No other expenses were incurred by the Central (Unemployed) Body in respect of their visit. I am unable to say whether these men were the only voters among the unemployed at Hollesley Bay at the time of the election. I understand that all the men there were informed that those who were entitled to vote would be allowed to do so; the leave to count as ordinary furlough. Only those who applied were allowed to come up. The funds in the voluntary contributions account are under the control of the Central (Unemployed) Body. Sanction to the expenditure in the present case was given by the Working Colonies Committee as a matter of urgency, and was confirmed by the Central Body on 31st October. I understand that, in addition to the men from Hollesley Bay, forty men, in respect of whom employment was provided at Fambridge and the Garden City by the Central Body, were allowed to come up to London on the occasion referred to, and that their travelling expenses, amounting to £4 17s. 4d., will be defrayed out of the voluntary contributions account.

Whaling Operations and the Shetland Herring Industry.

MR. CATHCART WASON (Orkney and Shetland): To ask the Secretary for Scotland whether, in view of the fact that the whaling operations in Shetland are considered as ruinous to the great herring industry, and that the delay of a year may prove most disastrous, if all parties in the House will support a Bill on the lines of the Report of the Commission, he will consider the possibility of introducing the Bill this year.

(*Answered by Mr. Sinclair.*) The Government, in proposing the present prolongation of the session of this year, promised not to introduce any fresh legislation, so the course suggested by my hon. friend is not open.

The Soap Trust.

MR. CHIOZZA MONEY (Paddington, W.): To ask the President of the Board of Trade whether he is aware that a soap trust or combine has been formed in the United Kingdom which controls 75 per centum of the entire soap trade of the country; that as a result the small independent soap firms are at this moment in great danger; that the soap trust has temporarily reduced its prices, while raw materials are advancing, in order to crush competition; and if he can see his way to take steps, by legislation or otherwise, to protect the public from private monopoly in this case.

(*Answered by Mr. Lloyd-George.*) I have seen statements in the press to the effect that certain manufacturers of soap have entered into an arrangement with a view to effecting economies in working and for other purposes, but I am not able to say what proportion of the soap trade of this country is carried on by the firms who are parties to this arrangement, or whether the position of other firms has been injuriously affected. I have seen reports of changes in prices, as stated in the Question, but I have no official information as to the causes or objects of such changes. I have in reply to a previous Question informed my hon. friend that the Board of Trade are fully alive to the importance of such matters, and will watch carefully the effect of these combines on the trade and industry of the country.

Workmen's Trains.

Mr. THORNE (West Ham, S.): To ask the President of the Board of Trade if it is the intention of the Government to take any steps to amend the Cheap Trains Act, so as to provide better facilities for workmen to travel on the several railways.

(*Answered by Mr. Lloyd-George.*) I am at present considering the question f introducing a Bill next session to mend the Cheap Trains Act.

Third Class Railway Season Tickets.

Mr. HUDSON (Newcastle-on-Tyne): To ask the President of the Board of Trade whether any representation has been made to the various railway companies having termini in London to issue third class season tickets, with the same proportionate reduction as is given in the case of first and second class season tickets; and whether he is prepared to approach the companies in the interests of the working community.

(*Answered by Mr. Lloyd-George.*) No representations on this point have been made to the railway companies serving London, and I would remind the hon. Member that the issue of season tickets by a railway company is a voluntary proceeding, and is not required or regulated by statute. The Board of Trade have, therefore, no powers to intervene in the matter.

Great Southern and Western Railway Co. (Ireland)—Scarcity of Cattle Trucks at Abbeyfeale.

Mr. O'SHAUGHNESSY (Limerick, W.): To ask the President of the Board of Trade if he can say what has been the result of his inquiry into the conduct of the Great Southern and Western Railway Company in not supplying a sufficient number of waggons for the loading of cattle and pigs at the fairs and markets of Abbeyfeale, in the county of Limerick; and whether he will see that in future there shall be no neglect on the part of the company in this matter.

(*Answered by Mr. Lloyd-George.*) I have not yet received a reply from the railway company in this matter, but when I hear from them I will communicate with the hon. Member.

Prices of Sugar.

Mr. MITCHELL-THOMSON (Lanarkshire, N.W.): To ask the President of the Board of Trade what is the average price of 88 per cent. beet sugar, f.o.b. Hamburg, for the campaign year, 1st October to 30th September, during each of the past ten years; and what were the total beet and cane crops, respectively, in 1901–2 and in 1905–6, respectively.

(*Answered by Mr. Lloyd-George.*) The recognised sugar campaign in Europe is from 1st September to 31st August. In view of price fluctuations, I think the most convenient course will be to state the average price for each month of the years referred to in the Question. The following are the particulars as to prices which are asked for (with the qualifications already mentioned in the verbal answer to the hon. Member):—

Monthly Averages of the weekly Quotations per cwt. for 88 per cent. Beet Sugar (German) f.o.b. "off coast for United Kingdom" in each of the Sugar Campaigns from 1896–7 to 1905–6, inclusive.†

Months.	1896–7.	1897–8.	1898–9.	1899–1900.	1900–1.	1901–2.	1902–3.	1903–4.	1904–5.	1905–6.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
September - -	8 11¼	8 11	9 6¾	9 11¼	11 2¼	7 9¾	6 1¾	8 6	10 10½	8 8¼
October - -	8 11¾	8 6½	9 7¾	9 2	9 6	7 5	7 1¼	8 4¾	11 0	8 6
November - -	9 3½	8 11¼	10 0	9 0¾	9 3¾	7 3	7 7	8 2¾	13 5¾	8 2½
December - -	9 0¾	9 3	9 10¼	9 1½	9 2¾	7 1¾	8 1¼	8 3¾	14 1	8 3¼
January - -	9 2½	9 2¼	9 5½	9 4	9 1	6 6¾	8 0	8 0	15 8¼	8 2¾
February - -	9 0	9 3½	9 7½	9 7¾	9 3¼	6 9	8 0	7 10	15 4¼	8 1
March - -	9 0½	9 0¾	9 11½	9 10¾	9 1¼	6 5	8 4¼	8 3¼	14 8	8 5
April - - -	8 8¾	9 1¾	10 9¼	10 5¼	8 10¾	6 3¾	8 7½	8 6¼	13 6	8 5¼
May - - -	8 9¼	9 6½	11 2¼	10 8	nominal	6 3¼	8 4¼	9 4¼	12 1	8 0¾
June - - -	8 7¼	9 8	11 1	10 11¾	9 4¾	6 1½	8 0	9 3¼	11 9	8 2¾
July - - -	8 4½	9 3½	10 8½	11 10	nominal	6 0¼	7 11¼	9 7¾	10 6	8 6
August - -	8 10¼	9 5¼	10 4¾	12 0	8 1½	6 1¾	8 5¼	10 5¼	9 7¾	9 2

† Compiled from Messrs. Czarnikow's Weekly Price Current.

As regards crops, it has to be pointed out that there are no trustworthy estimates of the total production of sugar in such countries as India, China, and certain of the West India Islands, the quantities exported from those countries alone being available. The following figures, which include these exports, appear to be the best crop estimates available:—

	1901–2. Tons.	1905–6. Tons.
Europe — Beet sugar crops	6,750,000†	6,954,000†
United States—		
Beet sugar crops	163,000‡	284,000‡
Cane sugar crops	4,080,000‡	4,906,000‡
	10,993,000	12,144,000

Third Class Sleeping Accommodation on Railways.

Mr. REES (Montgomery Boroughs): To ask the President of the Board of Trade whether he is aware that on at least one, and probably on all, the railways in the country over half the proprietors are persons of small means, holding stock of less than £500; and whether he will duly take this circumstance into account in approaching railway companies with a request that they should provide third class sleeping accommodation for a comparatively small section of the public.

(*Answered by Mr. Lloyd-George.*) I have no definite information as to the means or exact holdings of the individual shareholders in railway companies, but the available statistics point to the conclusion that the holdings of the majority of them do not exceed the sum mentioned by my hon. friend. The Board of Trade do not at present propose to take action in the direction referred to.

Opium Grown in and Imported into China.

Mr. LYNCH (Yorkshire, W.R., Ripon): To ask the Secretary of State for India whether he can state, and, if not, whether he will ascertain, the approximate amount of opium at present grown in China; and what proportion such native-grown opium bears to that imported into China from foreign countries.

(*Answered by Mr. Runciman.*) The latest information at the disposal of the Foreign Office will be found at page 23 and pages 80 to 82 of the Report for the years 1904–5 of the Foreign Trade of China, Annual Series, No. 3725. The acting commercial attaché states in that Report that it is impossible to obtain accurate statistics of the annual output of native opium in China, but he estimates the production of the province of Souchuan alone, which is the greatest centre of poppy cultivation, to be about four times the present total amount of foreign opium imported into China.

Re-instatement of Evicted Tenants.

Mr. THOMAS SMYTH (Leitrim, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if the Estates Commissioners have received an application for reinstatement from Edward McGuinness, Gortnaloher, Cloone, an evicted tenant on the estates of Messrs. Brady and Moore, in the county Leitrim; and, if so, what action has been taken in the matter.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they received the application referred to last month, but have not yet been able to take any action upon it. It will be dealt with in due course.

Mr. THOMAS SMYTH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he has received applications for reinstatement from Thomas Travers and Eliza McLoughlin, Drumboy, Mohill, two evicted tenants on Sir Morgan Crofton's estate in the county Leitrim; and, as this estate has been sold to the tenants about eight years ago, whether he can state if those two evicted tenants will be restored to their former holdings.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they have received from Eliza McLoughlin an application for reinstatement, and have referred it to one of their inspectors for inquiry. No application has been received from Thomas Travers.

---

† F. O. Licht's estimates.

‡ Messrs. Willet and Gray's estimate.

Sale of Irish Estates—Case of Elizabeth Armstrong.

MR. MACVEIGH (Down, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the matter of Elizabeth Armstrong, tenant on the estate of Sir Samuel Hayes, Drumboe, Stranolar, county Donegal, which estate was sold in 1905 to the Estates Commissioners; whether he is aware that she was sued at the Lifford quarter sessions in October, and decree obtained against her for the old rent; and, if so, whether he will cause inquiry to be made as to why she was not sued for the instalment payable to the Land Commission and not for the old rent.

(*Answered by Mr. Bryce.*) I am informed that the Estates Commissioners have no record of the sale, or of proceedings for the sale, of the estate of Sir Samuel Hayes. Proceedings, however, have been instituted for the sale of the estate of the Hon. Alice Hayes, and the Land Commission have taken proceedings against a tenant on that estate, named Elizabeth Armstrong, for the recovery of interest at the rate of 3½ per centum on the purchase money of her holding, in respect of which she had signed a purchase agreement. The Commissioners have no information as to any proceedings, if any, there were for the recovery of rent.

Construction of Pier at Reenard, County Kerry.

MR. BOLAND (Kerry, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is now in a position to state what steps, if any, will be taken to construct a pier at Reenard, county Kerry, under the provisions of the Marine Works Act.

(*Answered by Mr. Bryce.*) The Irish Government are prepared, with the consent of the Treasury, to make a grant under the Marine Works Act for works at Reenard Point, provided that local co-operation can be secured. The Government are, at present, in communication with the persons concerned in the matter, and I am not yet in a position to make a definite statement upon it.

Shooting Outrage at Scarva on 15th August.

MR. LIDDELL (Down, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on 15th August last one of a party of Nationalists, returning by train from a meeting held at Newry, shot a horse belonging to a farmer named James Martin, who lives a short distance from Scarva, and that the horse subsequently died from the effects of the wound; and will he say whether the police have been able to identify the perpetrator of this outrage.

(*Answered by Mr. Bryce.*) I am informed by the police authorities that on the 15th August last James Martin's horse, which was in a field adjoining the railway near Scarva, was shot with a revolver bullet and subsequently died from the effects thereof. The police used every endeavour to discover the offender, but failed to do so. They have no evidence that the shot was fired from the train.

Proceedings for Recovery of Rent on the Lambert Minors Estate (County Galway).

MR. LONSDALE (Armagh, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that it was by direction of the Land Judge that proceedings were taken for the recovery of rents due from the tenants on the Lambert Minors Estate, county Galway; and whether it is due to the intervention of any branch of the Irish Administration that the hearing of the processes has been adjourned to the January Sessions.

(*Answered by Mr. Bryce.*) The estate in question is being managed by the Land Judge on behalf of the Lord Chancellor. I am informed by the Lord Chancellor that the proceedings for recovery of the rents were taken by direction of the Land Judge, on the application of the receiver and those representing the owners of the estate. The order to postpone the hearing of the processes was also made by the Land Judge on the application of the same parties representing the estate, as it was thought that in the meantime a friendly arrangement as to the terms of the purchase, satisfactory to all parties, might be made.

Drumlease Band—Disturbance at Dromahair.

Mr. DOLAN (Leitrim, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to a case of police violence in Dromahair, county Leitrim; is he aware that when the Drumlease fife and drum band approached the village on the 1st instant they were met by about a score of police, who refused to allow them to enter; that when they were asked by Mr. Rooney to give their authority for blocking the public road, they would not give any authority; that Mr. Rooney was wantonly batoned by a policeman whilst negotiations were proceeding, with the result that a riot was precipitated, and that it was only the efforts of the local clergy that prevented a serious row; and will he take steps to prevent the possibility of such an occurrence in the future.

(*Answered by Mr. Bryce.*) The information which I have received from the police authorities upon the subject of the Question does not agree with that which has reached the hon. Member. Proceedings at the suit of the police have been directed against several persons in connection with the disturbance in question, and it would be contrary to practice and undesirable that I should enter into the matter while those proceedings are *sub judice*.

Irish Educational Grants.

Mr. MURPHY (Kerry, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can request the Commissioners of National Education in Ireland to state whether the proportion of children in primary schools in Ireland and Scotland for the current year is as 1 to $1\frac{1}{9}$, while the proportion of education grants, according to the Estimates, is as 1 to $1\frac{1}{2}$; and whether he can state any ground for the existence or continuance of this disparity.

(*Answered by Mr. Bryce.*) I am informed by the Commissioners of National Education that, at the end of the school year 1905, the proportion of pupils on the books in Ireland and Scotland was 1 to 1·09, but the proportion of pupils in average attendance was 1 to 1·39. The amount of the Votes for Ireland and Scotland for the year 1905–6 bore the proportion of 1 to 1·30. It will therefore be seen that while the disparity between pupils and voted money is in favour of Scotland if the numbers on the books are taken into account, the disparity is in favour of Ireland when the numbers in average attendance are compared.

Inspection of Estates sold in County Longford.

Mr. J. P. FARRELL (Longford, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland what proportion of the estates sold in county Longford are being inspected; whether any estate sold nominally within the zones has been actually passed by the Estates Commissioners; if so, to name the estate; and whether any inspection of any kind can now take place.

(*Answered by Mr. Bryce.*) I am informed by the Estates Commissioners that, in respect of sales in the county Longford, agreements for purchase have been lodged as regards sixty-five estates, comprising 1,484 holdings. Of these, inspections have up to the present taken place in twenty-nine estates, comprising 993 holdings. 284 out of these 993 holdings were cases to which the provisions of Section 1 of the Act did not apply, and consequently these 284 holdings were inspected as to security. Sales have been finally completed in respect of twenty-five estates, and in four out of these twenty-five estates no inspection took place, as all the cases thereon fell within the zones. The four estates alluded to are those of Thomas McCutcheon (three holdings), Emma J. Levinge (one holding), W. H. Gregg and another (ten holdings), and L. P. Reynolds (eleven holdings). In the cases in which the sales have been completed and the holdings vested in the tenants, the matter cannot now be reopened. In cases of sales under the provisions of Sections 6 and 7 of the Act, there is an inspection in respect of all holdings on the estate.

Irish Poor Law Commission Report.

MR. BARRIE (Londonderry, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland when he will be prepared to make a statement to the House regarding the Government's intended action on the Poor Law Commission (Ireland) Report.

(*Answered by Mr. Bryce.*) I do not anticipate that I shall be in a position to make a statement upon this subject for some time to come. The Report will require very full consideration, and the appendix and minutes of evidence have not yet been submitted by the Commissioners.

Relief of Distress Caused by Failure of the Potato Crop.

MR. DOLAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Congested Districts Board for Ireland have received a Resolution adopted by the farmers of Kiltyclogher, county Leitrim, regarding the distress caused by the failure of the potato crop; and, if so, what steps they intend to take for the relief of distress in the district.

(*Answered by Mr. Bryce.*) The Congested Districts Board have received the Resolution referred to, and have replied that the undertaking of works for the relief of distress is not one which falls within their province. The Local Government Board have also received a copy of the Resolution, and have ascertained from their inspector that there is no reason to apprehend exceptional distress even in the poorer parts of Manorhamilton union, in which Kiltyclogher is situate. The union is financially sound, and has always been able, without Government aid, to provide from its own resources for the relief of any distress which may have existed. The Local Government Board have, however, referred the Resolution to the guardians of the union, in order that they may decide whether it is necessary for them to take steps to afford relief to poor persons in the district of Kiltyclogher, under the provisions of Section 13 of the Local Government Act, 1898.

Government Grants to Evicted Tenants.

MR. LONSDALE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to a Resolution passed recently by the Cork County Council appealing to the trustees of the Nationalist Party to contribute from funds collected in America and Australia to the relief of evicted tenants, and declaring that evicted tenants are threatened with starvation; and whether, in the event of this appeal meeting with no response, the Government propose to make any grant from public funds for the relief of the evicted tenants.

(*Answered by Mr. Bryce.*) My attention has not been called to the Resolution referred to. As to grants to evicted tenants, I beg to refer the hon. Member to Sections 12 and 43 of the Act of 1903. The whole question of the evicted tenants is, as I have already explained, under the constant consideration of the Government.

Royal Arsenal and Dockyard—Plant, Machinery, Buildings, Wages, etc.

MR. CROOKS (Woolwich): To ask the Secretary of State for War if he will state the maximum and minimum number of men engaged in the Royal Arsenal and Dockyard, respectively, for the years 1901 to the present time, and the amount paid in wages during each year; the amount spent on new buildings, plant, and machinery, and the value of old buildings, plant and machinery pulled down or removed during each year of the like period for the Arsenal and Dockyard, respectively; the amount of land acquired since 1901 in connection with the Royal Arsenal; and the amount of work given out to the Arsenal and to contractors, respectively, during the like period.

(*Answered by Mr. Secretary Haldane.*) The information required is shown in the annexed tables:—

Maximum and minimum number of Men engaged in the Royal Arsenal and Dockyard respectively for the years 1901 to the present time,* and the amount paid in Wages during each year.

	Numbers employed.		Wages paid.
	Minimum.	Maximum.	
Royal Arsenal.			
			£
1901–2	21,959	24,616	1,978,058
1902–3	19,691	22,302	1,727,710
1903–4	18,474	19,731	1,563,378
1904–5	18,198	19,463	1,484,718
1905–6	17,506	18,213	1,431,428
Dockyard.			
1901–2	1,332	1,705	111,985
1902–3	868	1,583	82,062
1903–4	595	769	47,872
1904–5	560	678	44,115
1905–6	477	579	38,796

Amount spent on new Buildings, Plant, and Machinery.

Year.	Arsenal.	Dockyard.
	£	£
1901–2	426,126	69,753
1902–3	278,641	33,960
1903–4	178,090	10,169
1904–5	133,016	13,427
1905–6	118,381	26,696

---

* This can only be given to the end of the period for which complete accounts exist.

Value of old Buildings, Plant, and Machinery pulled down and removed.

Year.	Arsenal.	Dockyard.
	£	£
1901–2 - - - - - - -	3,017	2,000
1902–3 - - - - - - -	4,185	100
1903–4 - - - - - - -	6,048	1,150
1904–5 - - - - - - -	8,039	—
1905–6 - - - - - - -	5,848	2,200

Amount of land acquired since 1901 in connection with the Royal Arsenal - - - - - 313 acres 1 rood 34 perches.

Amount of work given out * to the Royal Arsenal, Woolwich, and to Contractors during the years 1901–2 to 1905–6.

Year.	Amounts.		Total.
	Ordnance Factories.	Trade.	
	£	£	£
1901–2 - - - - - -	3,464,919	11,260,337	14,725,256
1902–3 - - - - - -	3,105,345	6,611,277	9,716,622
1903–4 - - - - - -	2,514,737	3,931,037	6,445,774
1904–5 - - - - - -	2,718,205	2,446,453	5,164,658
1905–6 (excluding re-armament, see footnote) - - - -	1,941,434†	1,977,540†	3,918,974

* The figures given are actual expenditure, exclusive of naval gun mountings, which are mainly manufactured by the trade.

† These figures exclude work on the re-armament of horse and field artillery, which is being done by the trade in two years, but in the ordnance factories in three years. The amounts under this head for 1905–6 were :—

Ordnance factories - - - - -	£592,739
Trade - - - - - -	£1,463,345

Railway Development in Northern Nigeria.

MR. LYELL (Dorsetshire, E.): To ask the Under-Secretary of State for the Colonies, whether any decision has yet been reached on the subject of railway development in Northern Nigeria.

(*Answered by Mr. Churchill.*) No decision has yet been reached.

Visits of Vice-Consuls to Manufacturing Centres.

MR. YOXALL (Nottingham, W.): To ask the Secretary of State for Foreign Affairs whether he can arrange that the eight vice-consuls recently appointed as the result of an examination may, during the period prior to their going abroad on service, be enabled to visit some of the principal commercial and manufacturing centres in the United Kingdom, and particularly those centres most connected by trade with the consular posts to which the said vice-consuls are to be sent, and also those centres engaged in branches of commerce with which the vice consuls severally are least acquainted.

(*Answered by Secretary Sir Edward Grey.*) All the vice-consuls, before proceeding to their posts, work at the Board of Trade, and I will consult that Department as to how far the hon. Member's suggestions are or can be adopted.

Examinations for Vice-Consulship.

MR. YOXALL: To ask the Secretary of State for Foreign Affairs whether he can arrange that longer notice of the examination for vice-consulship, which is likely to be held next July, shall be given than was the case with the examination held in July last; whether this can be done by circulating information among chambers of commerce, to commercial schools and colleges, and through the newspaper organs of the various trades and industries; whether he will arrange that a larger proportion of appointments should be reserved for candidates with previous commercial experience than was the case at the examination this year; and, further, that nominations to take these examinations should be given by the Advisory Committee on Commercial Intelligence to the Board of Trade.

(*Answered by Secretary Sir Edward Grey.*) Examinations for the consular service depend on vacancies, which do not as a rule average more than two or three a year. It is not convenient to hold an examination in anticipation of vacancies which cannot be counted upon, or on the occurrence of one vacancy only. Candidates may, however, depend upon one examination a year, and they are expected to be prepared for it whenever it may occur, and not to begin preparation for it after they have received a nomination to compete. Anyone who wishes to enter the consular service can obtain information as to the subjects of examination by applying at the Foreign Office, or at the Civil Service Commission, and I do not see that any advantage would be gained by circulating information in the manner suggested. At the last examination I nominated eighteen general candidates. One place out of four was set aside for commercial candidates, but only one out of the three who presented themselves qualified. I took great pains to obtain candidates, by consulting heads of commercial and banking houses, and through advertisements in the Press, in consequence of which 200 applications were received, but of these only three decided to compete. As regards the suggestion that nominations to compete for the consular service should be in the gift of the Board of Trade, I think it desirable as long as that service is under the Foreign Office, that the Secretary of State for Foreign Affairs should be responsible for the candidates selected; but I am always glad to take the advice of the Board of Trade with regard to candidates.

Small Holdings in Highland Congested Districts.

MR. WEIR (Ross and Cromarty): To ask the Secretary for Scotland, having regard to the fact that in the whole of the Highland crofting counties there are only 1,100 holdings above £30 and not exceeding £50 annual rental, will he state how many of such holdings are situated in the congested districts of the respective counties.

(*Answered by Mr. Sinclair.*) The latest information is given in Poor Rates (Scotland) (Persons Assessed), House of Commons Return of 5th August, 1891. At that date there were 234 holdings between £30 and £50 rental in what are now congested parishes. No Returns, however, were given for the parishes of North Uist, Portree, Sleat, Canisbay, Hoy and Graemsay.

Delay in introducing Edinburgh Tramway Bill.

LORD DALMENY (Edinburgh, Midlothian): To ask the Secretary for Scotland whether, in view of the fact that the local inquiry in regard to the Provisional Order *in re* the proposed electric tramways from Edinburgh to Bonnyrigg was held in July, 1905, and the preamble was proved at that time to the satisfaction of the Commissioners representing both Houses of Parliament, he will state the reasons for the delay which has occurred in dealing with this matter; and when it is intended to introduce the confirming Bill.

(*Answered by Mr. Sinclair.*) Upon the Order in question being referred to the Parliamentary authorities it appeared that its arrangement and many of its provisions were inconsistent with the general Tramway Acts and contrary to the practice of Parliament. Similar objection was taken to other Scottish Tramway Orders of the current session, and it was found desirable to give further consideration to them and to the Edinburgh Order together, in consultation with the Parliamentary authorities. Meetings with parties were held in July and August, at which various adjustments were made, and, though some points are still outstanding, I hope that confirming Bills may be introduced very shortly.

Irish Ordnance Survey Maps and Army Votes.

MR. FIELD (Dublin, St. Patrick): To ask the Secretary to the Treasury whether he can state if the Irish Ordnance Survey maps supplied for military purposes are in any way charged against Army Votes, and if the number of maps so supplied for the year ended 31st March can be stated; and whether he will consider the advisability of charging the cost of the maps for military purposes against Army Votes and crediting it to the Survey Vote.

(*Answered by Mr. Secretary Haldane.*) No charge is made against Army Votes directly for the cost of Ordnance Survey maps supplied for military purposes; but the Royal Engineer Survey Companies employed on the Ordnance Survey are maintained from Army Votes. The future financial arrangements in these matters are under consideration. The number of Irish Ordnance Survey maps supplied for military purposes in the year ended 31st March last was 20,975.

Grants for Training of Midwives.

MR. W. HOPE (Somersetshire, N.): To ask the President of the Local Government Board if he is aware that, owing to the provisions of the Midwives Act, 1902, urgent necessity exists in many counties for training properly qualified midwives; and whether the Government will introduce a Bill to enable the county councils to contribute to such training, either out of the general county fund or out of funds set apart for purposes of higher education.

(*Answered by Mr. John Burns.*) I have received representations on this subject, but I am not in a position to promise legislation with regard to it at the present time.

Cocoa Imported into Great Britain from San Thomé, Principé and British West Indies.

MR. MITCHELL-THOMSON: To ask the President of the Board of Trade what was the quantity of cocoa imported into Great Britain in each year during the past ten years from San Thomé and Principé and British West Indies respectively.

(*Answered by Mr. Lloyd-George.*) The direct imports of cocoa into this country from St. Thomé and Principé are included in the official records under the general heading of Portuguese West Africa, and no separate statistics of such imports are therefore available. Practically the whole of the cocoa coming from this district reaches the United Kingdom *via* Portugal, and is included in the aggregate shown for the latter country. The institution of a "Consignment Account" in 1904 has, however, enabled the figures for the last two years to be given separately. The following figures, therefore, which include also those for British Guiana, are the only ones available:—

Statement showing the quantity of raw Cocoa imported into the United Kingdom from the undermentioned Countries and Possessions in the 10 years 1896 to 1905, inclusive, together with the quantities consigned therefrom in 1904 and 1905.

Year.	Portugal.		Portuguese West Africa.		British West India Islands.		British Guiana.	
	Imported.	Consigned.	Imported.	Consigned.	Imported.	Consigned.	Imported.	Consigned,
	lbs.	lbs.	lbs.	lbs.	lbs.	lbs.	lbs.	lbs.
1896	5,579,892	—	—	—	17,409,013	—	122,438	—
1897	1,441,414	—	—	—	15,772,460	—	173,531	—
1898	6,925,332	—	2,305	—	15,274,518	—	84,711	—
1899	8,675,881	—	—	—	15,114,192	—	91,504	—
1900	11,883,124	—	—	—	20,465,964	—	100,474	—
1901	13,511,787	—	261	—	15,676,896	—	73,799	—
1902	13,620,197	—	—	—	19,981,794	—	80,463	—
1903	14,087,142	—	—	—	15,427,711	—	115,350	—
1904	14,523,385	7,428,893	—	7,063,209	18,606,668	20,143,523	35,777	71,112
1905	14,672,796	8,770,029	—	5,890,415	17,013,761	17,373,981	1,034	69,622

NOTE.—The accounts of the consignments were not established until the 1st January, 1904.

Ramsgate Proposed Elementary School—Objections to Site.

MR. ALDEN (Middlesex, Tottenham): To ask the President of the Board of Education whether he has received a memorial from the borough of Ramsgate against the site recently selected for a public elementary school by the town council; and whether he will withhold his consent and direct the council to find a more suitable site.

(*Answered by Mr. Birrell.*) I have received a memorial setting forth the grounds on which a Resolution appears to have been passed at a meeting of ratepayers and others in the Ramsgate Town Hall, on 26th October, protesting against the selection by the town council of a particular site for the erection of a new public elementary school. No application, however, has reached me from the town council for the approval of the Board to the proposal ascribed to them in the Resolution. If such application should be made I can assure the hon. Member that the memorial will be carefully considered before any decision is arrived at by the Board.

Appeal Notices against Income Tax Assessment.

MR. SEARS (Cheltenham): To ask Mr. Chancellor of the Exchequer whether he will give the total number of notices of appeal against income-tax assessments under Schedules A, B, D, and E in England and Wales, in Scotland, and in Ireland, respectively, for the year ended 31st March, 1905, the number of appeals which were heard before the local commissioners of taxes in each section of the kingdom, and the number disposed of or settled without personal attendance before the commissioners.

(*Answered by Mr. Asquith.*) The compilation of such a Return would involve an amount of labour quite out of proportion to any useful purpose which, so far as I know, it would serve.

Occupants of Farmhouses and the Beer Tax.

MR. EVERETT (Suffolk, Woodbridge): To ask Mr. Chancellor of the Exchequer how the beer tax, the substitute for the old malt tax, is charged on occupants of farmhouses; and what is the total yield from this source to the revenue.

(*Answered by Mr. Asquith.*) Where the occupant of a farmhouse brews beer not for sale and is chargeable with beer duty, the duty is charged on the materials used, of which an account has to be kept by him. No separate account is kept of the yield of revenue from this source.

The Murder of Mr. Gosser of Darjeeling.

MR. REES: To ask the Secretary of State for India whether the murderers of the English planter, Mr. Goss, of Darjeeling, have been apprehended.

(*Answered by Mr. Secretary Morley.*) Two persons were sent up for trial in the case referred to, of whom one was acquitted by the sessions Judge and the other convicted and sentenced to transportation for life. The latter was, however, acquitted on appeal by the High Court. I am informed that no other persons have been apprehended.

Burma Police Force.

SIR SEYMOUR KING (Hull, Central): To ask the Secretary of State for India whether his attention has been called to the Report of the Inspector-General of Police in Burma, in which he states that the constant drain on the department cannot but adversely affect its working, that there are no less than one district superintendent of police, nine assistant superintendents of police, and twenty inspectors seconded for service in other departments; and that from every district comes the cry for assistant superintendents of police and experienced inspectors, and he has been hard put to it to meet the demands made; and whether the Indian Government have explained to him how these facts are consistent with their recommendations to him of the necessity for transferring officers from the Burma police to other provinces, and particularly with the transfer of one to Madras superseding a number of officers in that service who have recently petitioned the Secretary of State.

(*Answered by Mr. Secretary Morley.*) I have referred to the passage in the Inspector-General's Report mentioned in the Question. The facts stated in it are not inconsistent with a state of congestion in the higher ranks of the police service in Burma, due to the large number of officers whom it was necessary, on the annexation of Upper Burma twenty years ago, to recruit at the same time. It is to remedy this congestion that special measures have been taken, involving in some cases transfers of senior officers to other provinces.

Age Limit for Retirement of the Dublin Police Magistrates.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether there is any age limit for the retirement of the Dublin police magistrates, and will he state the ages and dates of call to the bar of the present Dublin police magistrates; and do these magistrates hold office during the pleasure of the Lord-Lieutenant, or is their tenure of office similar to that of Judges.

(*Answered by Mr. Bryce.*) Divisional justices within the police district of Dublin metropolis are appointed under the Act 6 and 7 William 4, c. 29. They hold office during good behaviour or until they are removed by the Lord-Lieutenant. There is no general age limit fixed for the retirement of divisional justices appointed prior to April, 1895, but any divisional justice appointed after that date must retire at the age of seventy. There are four divisional justices, namely, Mr. E. G. Swifte, called to the Bar in 1863, appointed a divisional justice in June, 1890; Mr. T. J. Wall, K.C., called to the Bar in 1861, appointed in February, 1895; Mr. D. Mahony, called to the Bar in 1880, appointed in January, 1899; Mr. T. C. Drury, called to the Bar in 1883, appointed in January, 1902. There is no record of the ages of the two gentlemen first mentioned. The remaining two appear to be respectively fifty and fifty-nine years of age.

Application of Patrick M'Callion, of Bellaghy, for Labourer's Cottage.

MR. PATRICK O'BRIEN (Kilkenny): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a labourer, named Patrick M'Callion, of Bellaghy electoral division, county Derry, who is the chief support of his mother and sister, has for six years past been an applicant for a labourer's cottage to the Magherafelt board of guardians, the house he has occupied being unfit for human habitation, and of which the landlord is a prominent member of the Magherafelt board of guardians, and that the last refusal conveyed to M'Callion, dated 17th October last, was on the ground that he was unmarried; and whether, in view of the fact that this man is supporting his mother and sister in an unsanitary house, he will take steps to have him provided with a cottage without further delay by the Magherafelt board of guardians.

(*Answered by Mr. Bryce.*) The following are the facts as known to the Local Government Board: Patrick M'Callion, who is unmarried, lives with his mother and sister, and his application for a cottage appears to have been approved of by the rural district council about two years ago. The house in which they live is situated on the farm of one of the members of the council, and was condemned by the medical officer as unfit for human habitation. The site chosen by the council for a new cottage for M'Callion was one of two proposed by them on a farm of twenty-eight acres, and the occupier strongly objected to give more than one site, contending that undue injury would be caused thereby to his holding. The inspector who held the local inquiry into the scheme rejected M'Callion's application on the grounds that the occupier was giving one site for a more deserving case (the other applicant having ten in family, and his house having been condemned), and that there was a very good house and garden, close to the site, which M'Callion could occupy if he chose. It is open to the council to include a fresh representation from M'Callion in any scheme they may make under the new Act.

Retiring Allowance to Miss M'Kee, Assistant Teacher of Armagh.

MR. McKILLOP (Armagh, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that in 1903 the Armagh board of guardians dispensed with the services of Miss M'Kee, assistant teacher, granting her an allowance of £9 sterling a year; that the Local Government Board refused to sanction the allowance; and if he can state the grounds upon which the Local Government Board acted in withholding its sanction in this case.

(*Answered by Mr. Bryce*). I beg to refer to my reply to the Question of the hon. Member for South Down on the 28th June,† which gives full details of the matter in question. It is not the case that the Local Government Board refused to sanction the superannuation allowance proposed for Miss M'Kee.

Sale of Mrs. Mahon's Estate at Strokestown—Reduction of Rent of Sub-Tenants.

MR. JAMES O'KELLY (Roscommon, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the agreement for the sale of Mrs. Mahon's estate, Strokestown, county Roscommon, makes provision for giving reductions in their rent to sub-tenants in the same proportion as those given to the middlemen on the same property.

(*Answered by Mr. Bryce*). I am informed by the Estates Commissioners that the reply to this Question is in the negative. For an explanation of the position of sub-tenants in regard to purchase, I beg to refer to my replies to the hon. Member's Questions of 5th November.‡

Government's Proposals as to Ireland.

MR. FETHERSTONHAUGH: To ask the Prime Minister whether, during the present session, and, if not, how long before their introduction in the House of Commons, Members will be given an opportunity of considering and discussing with their constituents the alterations, if any, in the government of Ireland which the Government propose to introduce in the next session of Parliament; can the outline or details of the proposed measures be made public before Christmas.

(*Answered by Sir H. Campbell-Bannerman*). I presume that the usual course will be followed in this instance, and the nature of any measure such as the hon. Member indicates will be explained on its introduction.

QUESTIONS IN THE HOUSE.

British Shipbuilding Programme.

*MR. REES (Montgomery Boroughs): I beg to ask the Secretary to the Admiralty whether, of the British programme for 1904 of two battleships and three armoured cruisers, only one battleship and one cruiser have so far been launched; whether new warships built by Germany are not accounted as additions to the fleet if they merely replace superannuated ships; and whether new ships in Great Britain are, even when they replace superannuated ships, accounted as additions to the fleet, so that an increase masked in the former is marked in the latter case.

The SECRETARY TO THE ADMIRALTY (MR. EDMUND ROBERTSON, Dundee): As regards the first part of the hon. Member's Question, both the battleships and two out of the three cruisers of the 1904–5 programme have already been launched. With regard to the latter part of the Question, it is true that in Germany new warships are in certain cases officially described as substitutes; but it is not considered either that this term tends to mask, or that the term "addition" tends to mark, the increased strength of the German and British Navies due to new construction.

Naval Returns.

MR. BELLAIRS (Lynn Regis): I beg to ask the Secretary to the Admiralty whether the Board will grant a Return, before the end of the session, on the same lines as the one granted by their predecessors last year, on the Motion of the hon. Member for Dundee, No. 336, 10th August, 1905, showing the total number of officers and men in shore establishments and ships in reserve or the partially manned Home fleet; and also the total number in the fully commissioned ships at sea under the scheme which has recently been forshadowed.

---

† See (4) *Debates*, clix., 1118, 1119.

‡ See (4) *Debates*, clxiv., 91.

MR. EDMUND ROBERTSON: There would be no objection to a Return being prepared on the same lines as that issued on 10th August, 1905, but including a statement of the numbers of officers and men actually borne in fully commissioned ships.

Painting His Majesty's Ships.

MR. HART-DAVIES (Hackney, N.): I beg to ask the Secretary to the Admiralty whether his attention has been called to the practice in the Navy of officers spending their own private funds on decorating and painting His Majesty's ships of war; and whether he will take steps to discourage this practice as much as possible, or cause it to be discontinued altogether.

MR. EDMUND ROBERTSON: There is no necessity for this practice, and the Admiralty are most anxious to discourage it as much as possible.

MR. HART-DAVIES: Will an Order be issued on the point?

MR. EDMUND ROBERTSON: I will consider that.

Withdrawals of Ships for the Home Fleet.

MR. F. E. SMITH (Liverpool, Walton): I beg to ask the Secretary to the Admiralty if he will give the names of the ships which it is proposed to withdraw from full commission and place in the home fleet with nucleus crews.

MR. EDMUND ROBERTSON: I must refer the hon. and learned Member to my reply to a similar Question by the hon. Member for Gravesend on Tuesday last.†

MR. F. E. SMITH: Will the right hon. Gentleman give the number of cruisers?

The reply was inaudible.

Dartmouth Cadets—Instruction in Navigation.

MR. BELLAIRS: I beg to ask the Secretary to the Admiralty whether he is aware that no less than five civilians who have never been to sea or handled sextants are engaged in teaching navigation to the cadets at Dartmouth; whether he will explain why naval instructors are not employed as formerly instead of civilians; and whether the Board will call for a report from a navigating officer on the system of teaching navigation.

MR. EDMUND ROBERTSON: It is not the fact that five civilians are engaged in teaching navigation to the cadets at Dartmouth. Four civilian masters do teach mathematics, which, as stated in Answer to a previous Question from my hon. friend, is intended to prepare for the instruction in navigation given by naval officers. Six naval instructors are employed at Dartmouth, of whom five are engaged in teaching theoretical navigation and mathematics. The Answer to the last part of the Question is in the negative.

Chatham Dockyard.

MR. JENKINS (Chatham): I beg to ask the Secretary to the Admiralty whether, in view of the distress consequent upon the reduction of men which has been taking place during the last two years from His Majesty's dockyard at Chatham, where there are 1,200 houses unoccupied, he will offer the same facilities to the Chatham dockyard to compete as to tenders for the construction of the battleship as is afforded private firms.

MR. EDMUND ROBERTSON: The battleships of this year's programme are, and those of future years are likely to be, of such dimensions that they cannot be completed at Chatham, and the reply to the question is therefore in the negative. At the same time every consideration is being given to the supply of suitable work for this dockyard.

Disturbances at Portsmouth.

MR. O'GRADY (Leeds, E.): I beg to ask the Secretary to the Admiralty whether it is the intention of the Board of Admiralty to appoint a stoker on the court of inquiry into the riots at Portsmouth so as to ensure that the men's side of the case will be fully considered.

MR. EDMUND ROBERTSON: The court of inquiry has concluded its investigation and has sent in its Report.

---

† See Col. 318.

As I have already stated, the court was composed of a Rear Admiral and a Commodore.

MR. DALZIEL (Kirkcaldy Burghs): I beg to ask the Secretary to the Admiralty whether there is any record at the Admiralty concerning an order given to stokers on Portsmouth Parade, on the 24th November, 1905, in which the words were used: "Get down on your knees, you dog;" whether a stoker was on that occasion kept on his knees for a period of five minutes: who was the officer on the occasion; and did he, by direction of his superior officers subsequently offer an apology to the stoker concerned.

MR. EDMUND ROBERTSON: There is no such record at the Admiralty, and the allegation is denied at Portsmouth. If the hon. Member can furnish me with the name of the officer to whom he refers, immediate action will be taken. In the meantime an inquiry is being instituted. In reply to a supplementary Question sent me by the hon. Member I have to say that the Report of the court of inquiry has only just reached the Admiralty, and we have not had time to consider the question, but I hope within two or three days to be able to state what action the Admiralty propose to take.

* MR. CATHCART WASON (Orkney and Shetland): Is the right hon. Gentleman aware that in Scotland when we say our prayers in church we do not even go on our knees to our Maker, and we do not in this House? Will he consider the advisability of withdrawing this Order?

MR. FLAVIN (Kerry, N.): Is the right hon. Gentleman aware that the officer in question paid the stoker £150 in order to hush the matter up?

[No Answer was returned.]

Wei-hai-Wai—Disbandment of the Chinese Regiment.

MR. HART-DAVIES: I beg to ask the Secretary of State for War whether his attention had been called to the losses and inconvenience caused by the disbanding of the Chinese Regiment at Wei-hai-Wai to the officers of that corps, who were engaged for a period of five years, and have now, long before the expiration of that time, been obliged to sell their kit and uniforms and purchase others; and whether he will see fit to give some compensation to the officers affected.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): These officers were appointed for three years with power of extension to five and several of them have completed the latter period. Those who had not completed their service were granted compensation by being permitted to retain their Chinese rates of pay and language allowance for sixty-one days (*a*) from the date of ceasing duty, if they were going to take leave before returning home; or (*b*) from the date of disembarkation in this country if they came home without delay. I may add that seven out of the thirteen officers who were on the strength of the regiment in April last have already received other appointments.

Soldiers in Workhouses—Discharges from Military Hospitals.

MR. CLAUDE HAY (Shoreditch, Hoxton): I beg to ask the Secretary of State for War whether he will state the number of soldiers now in workhouses who were discharged from the military hospitals suffering from incurable illness contracted whilst serving His Majesty; whether the pensions to which these soldiers are entitled are in whole or in part retained by the guardians of the union in the workhouse of which these soldiers are now inmates; and whether these soldiers are now treated as paupers in every respect as regards clothes, food, discipline, or any money they may receive other than their pensions.

MR. HALDANE: As regards the first part of the Question, the number is not known in this Department. Secondly, the guardians have the same claim on any pensions these men may be entitled to as upon other pensions. The general treatment of inmates of workhouses does not come within the purview of my Department; but it is known that in some cases old soldiers are allowed to retain some portion of their pension for the purchase of small luxuries such as tobacco.

VISCOUNT TURNOUR (Sussex, Horsham): In view of the extreme importance of this Question, cannot the right hon. Gentleman obtain information as to the number of old soldiers in our workhouses?

MR. HALDANE: I have no machinery for doing it. The question should be addressed to the President of the Local Government Board.

MR. ASHLEY (Lancashire, Blackpool): I beg to ask the Secretary of State for War whether he proposes, in next year's Estimates, to ask Parliament to sanction the grant of a sum of money to alleviate the hardships suffered by patients discharged from Army hospitals after a long period of detention, seeing that the only legal refuge for a patient so discharged is the workhouse.

MR. HALDANE: I have nothing to add to what I stated in debate on this matter in the House on Thursday last. †

MR. ASHLEY: Will the right hon. Gentleman say what he expects will be the effect of his answer on recruiting?

MR. HALDANE: I regard the British soldier as a sensible person, and I do not anticipate it will have the slightest effect on recruiting.

South African War Medals.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Secretary of State for War whether, in view of the fact that a special medal, the King's, was given for service during the second half of the South African War, in addition to the Queen's medal, whereas no special medal was given for service in the first and most arduous half of the war, and in consideration of the discontent of many of his Majesty's troops, and especially of the colonial forces, at this arrangement, which has resulted in their receiving only one medal, while others received two for less arduous service, he will take any steps in the matter.

MR. HALDANE: No, Sir; it is not proposed to reopen the question of granting further medals for the South African War.

Discharges from the Royal Gun Factory, Woolwich.

SIR GILBERT PARKER (Gravesend): On behalf of the hon. Member for the Stepney Division of Tower Hamlets, I beg to ask the Secretary of State for War whether he is aware that of seventy-seven men recently discharged from the Royal Gun Factory, Woolwich, sixty were long service men; and whether he can state the number of men discharged from the various departments of the Royal Arsenal during the last twelve months who have been in receipt of a bonus.

MR. HALDANE: Seventy-eight men were discharged from the Royal Gun Factory in the week ending 3rd instant. Of these, thirty-six were men with over seven years service, eighteen of six years service, nine of five years, and the remainder (fifteen) had less than five years service. Of the men discharged from the Ordnance Factories, Woolwich, during the last twelve months, 764 received a gratuity, and forty-three received a pension.

Lieutenant Gage, 5th Dragoon Guards.

SIR GILBERT PARKER: On behalf of the hon. Member for the Stepney Division, I beg to ask the Secretary of State for War whether in view of the fact that Lieutenant J. S. D. Gage, late of the 5th Dragoon Guards, was compelled by the Army Council to resign his commission, he will say whether any reasons were given for the treatment meted out to him; whether his application for a full inquiry into his case was refused; and, if so, whether he will explain why an officer wearing four medals and eight clasps and after fifteen years' service has been deprived not only of his livelihood, but of his social *status*, without trial.

MR. HALDANE: This officer was called on to resign his commission in a letter from this Department dated 6th February last after a very careful inquiry into the circumstances of his case. He was informed at the same time that no reflection was made on his honour or character, but that the evidence afforded by the confidential reports, with which Lieutenant Gage was acquainted, showed that he was not adapted to the requirements of his profession. As he had been unable to profit by the opportunities extended to him, his retention in the service could not be sanctioned. It will, therefore, be seen that there could be no question of putting the officer on trial.

---

† See Col. 825, *et seq.*

I have satisfied myself that the course adopted in this case is a perfectly just one.

VISCOUNT TURNOUR: Had this officer an opportunity of appearing before the board which made the inquiry?

MR. HALDANE: The rule in the Army is that whenever confidential reports are made, they are shown to the officers concerned. These reports have been coming in for years past, and the officer has known that to an extent he has been on his trial and must do his best to improve. The decision of the Army Council was given on the final report.

Private Pearce, Dorsetshire Regiment.

COLONEL HERBERT (Monmouthshire, S.): I beg to ask the Secretary of State for War whether his attention has been drawn to the case of No. 3,185 Private Edward Pearce, late Dorsetshire Regiment, who, after completing twenty-four years and ninety-seven days in His Majesty's service, including three campaigns, has been declared ineligible for a pension unless he is sixty-five years of age and in necessitous circumstances; whether this decision is due to the fact that a part of his service was in the Royal Marine Light Infantry; and whether the standard of necessitous circumstances for such cases has been defined by regulation of the War Office or of the Admiralty.

MR. HALDANE: The facts are as stated. It was explained to the man at the time of his enlistment that his service in the Royal Marines would not reckon towards Army pension and his enlistment was only allowed as a special case and with that understanding. The standard of "necessitous circumstances" is defined in such cases by this Department.

COLONEL HERBERT: What is the standard of "necessitous circumstances?" Does it involve the condition that a man should be compelled to pawn his medals or go into a workhouse?

MR. HALDANE was understood to say it did not go so far as that.

Wages on the Ipswich Barracks Contract.

MR. J. WARD (Stoke-on-Trent): I beg to ask the Secretary of State for War whether his attention has been called to an arbitration award, dated 1899, fixing labourers' wages in the Ipswich district at a minimum of 5d. per hour; whether his attention has been called to the fact that the contractors for alterations at the Royal Artillery barracks are now paying labourers 3½d. and 4d. per hour; and that one of these labourers was recently threatened with dismissal for asking that he should be paid the trade union rate of 5d. per hour; and what action, if any, he proposes to take in the matter.

MR. HALDANE: The award of 1899 is no longer in force. The skilled labourers are paid the current rate of 4½d. per hour. Nothing is known in this Department of any labourer having been threatened with dismissal for asking for 5d. an hour.

MR. J. WARD: This is a matter in which I am personally interested. Can the right hon. Gentleman say when the award was abrogated and was notice given that it was to be altered in any way.

MR. HALDANE: I believe it was abrogated some little time ago. I will inquire if the hon. Member will put another Question.

MR. J. WARD: I will do so.

Military Attache's Qualifications.

SIR GILBERT PARKER: On behalf of the hon. Member for Stepney, I beg to ask the Secretary of State for War whether qualification in the language of the country to which they are sent is considered a *sine quâ non* when appointments as military attaché to foreign Courts are made; and if not, whether he can give an assurance that such qualification will for the future be obligatory.

MR. HALDANE: In selecting officers for the appointment of military attaché at a foreign Court, due weight is always given to knowledge of the language of that Court, but the rank and personal attributes of the officer have also to be considered. To make the language qualification obligatory would be unduly to limit the choice as regards some of these appointments, and I do not therefore propose to adopt the hon. and gallant Member's suggestion.

SIR HOWARD VINCENT (Sheffield, Central): How can an attaché be of any use unless he knows the language of the Court to which he is attached?

MR. HALDANE: A man who does not know the language might occasionally be an advantage. I have heard of cases in which information has been more freely given to a person who was supposed not to know the language. It is, of course, absolutely necessary to have a current language to use—it may be French, it may be English, or it may be some other language. But the most important qualification is military knowledge, and, in many cases, diplomatic tact. These things have to be taken into account as well as the language.

SIR GILBERT PARKER: Then a British soldier may be sent as attaché to the Court of a country of which he does not know the language?

MR. HALDANE: Yes. It may be that French is enough for an attaché's purpose, for French may be the usual language of communication.

Woolwich Arsenal Discharges.

MR. REMNANT (Finsbury, Holborn): To ask the Secretary of State for War, in reference to the men recently discharged from Woolwich Arsenal, whether he is aware that there are numerous openings for respectable men of this description in Canada, and that many of these men are anxious to settle there; is he aware that though single men can be placed in employment there even during the winter it is not expedient for men with families to leave until March; that in consequence many of these men and their families are likely to suffer considerable privation until March arrives; can he in any way help them to employment to tide them over the winter; and will he, if any future discharges are necessary, consider the advisability of making the discharges in the spring.

MR. HALDANE: I can only say, as I have said before, that I will do my best, as far as is consistent with my duty to the public generally, to prevent discharges at the Arsenal, but I cannot undertake to keep men beyond the time when there is work on which to employ them.

MR. REMNANT: The right hon. Gentleman has not answered the last part of my Question.

MR. HALDANE: We are doing everything we can to lessen the discharges. I cannot keep men on when there is no work for them to do. I have been going into this matter personally.

MR. DALZIEL: I do not understand that the right hon. Gentleman gives any sanction to the suggestion in the Question that there is an opening for these men in Canada, having regard to the hundreds of complaints coming from that country?

MR. HALDANE: No, Sir.

Volunteer Camp Training.

SIR SAMUEL SCOTT (Marylebone, W.): I beg to ask the Secretary of State for War whether, now that Volunteer field army brigades have ceased to exist, it is intended to compel Volunteer battalions who are willing to train in camp for fifteen days to train only for seven days.

MR. HALDANE: Until the re-organisation scheme for the Territorial Army is produced, volunteer infantry battalions will not receive allowances in respect of a stay of more than eight days in camp.

SIR SAMUEL SCOTT asked whether an increase of efficiency in the battalion did not justify an increase of expenditure.

MR. HALDANE did not think the hon. Baronet had followed the situation. There was no reason why one battalion should have fifteen days training when another had only eight days. The fifteen days camp was only in the field army brigades, and those brigades were gone.

*MR. McCRAE (Edinburgh, E.) asked if it would not be advisable, until the new scheme was formulated, to allow those battalions that had been doing fifteen days in camp to continue to do so. Otherwise the result would be disastrous to the Volunteer force.

MR. HALDANE replied that if he gave this privilege to one battalion it would be only fair to give it to other battalions.

MR. McCRAE: I understand that, according to the scheme of the right hon. Gentleman, the Volunteers are to be divided into two classes. Surely one class might be allowed fifteen days camp.

MR. HALDANE: I hope so in future, when we get our new organisation.

*MR. McCRAE: Why break the continuity.

MR. HALDANE: With the existing organisation, there is not the slightest reason for giving one battalion more than another fifteen days training.

Chinde Foreshore.

*MR. REES I beg to ask the Under-Secretary of State for the Colonies whether he is aware that but little remains of the old inner concession of the foreshore at Chinde; that the removal of the fence from the old inner concession would give another ten years use of the foreshore; that such removal was unanimously recommended by the commercial community of Chinde to the Commissioner; that the Commissioner has not carried out such recommendation; that the provision of sufficient foreshore in the inner concession for the discharge of cargo is an absolute necessity; that road rates are levied by the administration, though no roads are constructed in the concession; that landing charges are made, though no wharf is provided; and whether he will inquire and take such action as the circumstances require.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): It is true that the whole of the original British concession at Chinde is rapidly disappearing through erosion; and that it is the opinion of the local community that the setting back of the fence of the inner concession would considerably prolong the period during which a foreshore of the present extent would be available. The Commissioner of the British Central Africa Protectorate, however, after full inquiry and conference with the representatives of the commercial community at Chinde, has arrived at the conclusion that the future requirements of the trade of the British concession can be better provided for by other measures; and His Majesty's Government is now in communication with the Government of Portugal on the subject. As regards the question of road rates and landing charges levied at Chinde the Secretary of State will make inquiry.

White Labour in Johannesburg.

MR. DUNCAN SCHWANN (Cheshire, Hyde): I beg to ask the Under-Secretary of State for the Colonies whether he has any official information showing that there is any considerable number of men willing to work for the Johannesburg Corporation at 5s. a day.

MR. CHURCHILL: No, Sir.

Wages in the Witwatersrand Mines.

MR. DUNCAN SCHWANN: I beg to ask the Under-Secretary of State for the Colonies what are the present average wages of skilled workmen in the mines of the Witwatersrand; and what were the average figures for this time last year.

MR. CHURCHILL: The average wages of white employees per shift, usually ten hours, on the Witwatersrand range, I understand, from about 11s. to about 32s. and are substantially the same as last year.

Chinese in the Rand Mines.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Under-Secretary of State for the Colonies whether he has now official information that the Chinese labourers in the Rand mines have been required to make their complaints to the mine managers instead of to the inspectors under the Superintendent of Foreign Labour, as heretofore.

MR. CHURCHILL: Lord Selborne has now informed the Secretary of State that in the interest of the maintenance of mine discipline Chinese coolies are told that their proper course if they have complaints is to address them to the mine manager in the first place. If they are not attended to they are then to approach the inspector. The position taken up by the Superintendent of Foreign Labour in his letter to the Chamber of Mines, see page 86 of Cd. 3025, has been in no way abandoned. The present system, including use of petition box, is working admirably.

Scottish Labour for Canadian Railway Works.

MR. MORTON (Sutherland): On behalf of the hon. Member for Ross and Cromarty, I beg to ask the Under-Secretary of State for the Colonies whether he is aware that in September last several hundred men were engaged at Stornoway for railway work in Canada; and, in view of the fact that there is considerable dissatisfaction amongst them on account of the sub-contractor declining to pay them wages until they have worked out the cost of their passage and all other expenses, will he ascertain the terms of the contract, especially bearing in mind that many of these men have left wives and families in the island of Lewis, who are dependent on remittances from Canada for their subsistence; and will he consider the advisability of taking steps, by legislation or otherwise, to prevent the recurrence of such cases.

MR. CHURCHILL: I have not seen the contract entered into by the men referred to, but I understand that an employment agent, acting for railway companies in Canada, who has no authorisation of any kind from the Canadian Government, is endeavouring to engage men for railway work in Canada on terms similar to those indicated in the hon. Member's Question. Full inquiry will be made into the matter.

Straits Settlements Finance.

SIR DAVID BRYNMOR JONES (Swansea District): I beg to ask the Under-Secretary of State for the Colonies whether the Secretary of State for the Colonies will direct the Governor of the Straits Settlements to postpone the date of the operation of the Order in Council of the 22nd October, authorising a reduction in the fineness of the dollar, until this House has had an opportunity of discussing the expediency of the Order in Council; whether he will lay a copy of the said Order in Council upon the Table of the House; whether the consequences of the recent rise in the value of silver could have been guarded against by an alteration in the rate of exchange without debasement of the currency; and what are the grounds upon which the Governor of the Straits Settlements based the advice given by him upon this matter to the Secretary of State.

MR. CHURCHILL: I will reply to the hon. and learned Member's Questions in a rather different order. Unless the fineness of the Straits Settlements dollar were reduced, the only way in which the consequences of the recent rise in silver could be guarded against would be by withdrawing the fixed rate of exchange. This rate has been fixed as the result of the recommendations of the Straits Settlements Currency Committee (whose Report was laid before Parliament in 1903), which recommendations were adopted with the practically unanimous approval of the Colony. The Governor strongly advised the Secretary of State not to abandon the fixed rate of exchange on the ground that otherwise business would be dislocated and trade hampered. The Governor stated that he had discussed the matter unofficially with all the leading bankers and merchants in the place, and that they were in entire accord with him that the sooner gold was made legal tender, and that action supplemented by preparing to replace the dollar with one of less fineness, the better it would be in the interests of the community. I may add that from a telegram just received the Secretary of State learns that the Legislative Council have unanimously adopted a motion urging a greater margin of safety for the dollar than the reduction in fineness to ·800 provides. The laying of the Order in Council on the Table is a question for the Lord President, to whose attention the matter will be brought. The Secretary of State considers that it is impossible to direct the Governor to suspend action urgently required under an Order designed to meet a critical condition of affairs until the House has had an opportunity for discussion.

Opium in the Transvaal.

*MR. THEODORE TAYLOR (Lancashire, Radcliffe): I beg to ask the Under-Secretary of State for the Colonies whether the provisions of the Transvaal

Ordinance of 6th October, 1905, prohibiting the importation or possession of opium except for medicinal purposes, have been repealed; whether they have been replaced by a new Ordinance making it possible for any Chinaman to obtain two pounds of opium per month; and if so, whether His Majesty's Government will sanction such repeal and new Ordinance.

MR. CHURCHILL: Law 36 of 1905, assented to on 2nd October of that year, prohibited the possession of opium except for medicinal purposes. The new Ordinance fixes the maximum for which a permit can be issued at two pounds per month. No permit can be issued except by a responsible officer on the prescription of a registered medical practitioner, and in the case of Chinese coolies a permit can only be issued by an inspector of the Foreign Labour Department on the prescription of the medical officer of the company by whom the labourer is employed, and the company is naturally interested in not allowing excessive use of opium. The Ordinance is in operation and it is not the intention of the Secretary of State to advise His Majesty to disallow the Ordinance.

SIR GILBERT PARKER: Is this a suggestion that a Chinaman can consume two pounds of opium a month?

MR. CHURCHILL: I cannot answer as to that. I do not know what amount would be reasonable. I presume the matter was carefully considered.

MR. LUPTON (Lincolnshire, Sleaford): Is not two pounds a month enough for twenty men?

MR. CHURCHILL asked for notice of that Question.

SIR H. COTTON (Nottinghamshire, E.): Will the hon. Gentleman consider the desirability of reducing the maximum?

MR. CHURCHILL: I will certainly inquire into the matter.

Northern Nigeria—Cost of Living for Army Officers.

COLONEL LOCKWOOD (Essex, Epping): I beg to ask the Under-Secretary of State for the Colonies whether the comparatively high cost of living alluded to in the Government Circular, Africa (West), No. 602, Northern Nigeria, has increased between 80 per cent. and 100 per cent.; and whether the canteen which was allowed to import food stuffs duty free has been closed since 1902. I beg further to ask the Under-Secretary of State for the Colonies whether he is able to enforce the contract entered into by the Nigeria Company under which the company agreed to provide Army officers with the necessaries of life at a cost not exceeding 80 per cent. above retail prices in England; whether he has any official information showing that sufficient supplies are stocked, and that much of the food that is supplied is unfit for human consumption; and whether the company have raised prices 90 per cent. above prices at home.

MR. CHURCHILL: The Secretary of State has no reason to believe that there has been a general rise in the cost of living in Northern Nigeria. The cost is low, except at the two chief centres of administration. The canteen which was allowed to import food stuffs duty free was a private concern managed by the Government officials with some assistance from Government. It proved a complete failure, and was replaced in 1903 by an agreement with the Niger Company, which undertook to keep stocks of provisions at five places and to sell at prices the maximum of which was fixed (as regards tinned and bottled goods) at 80 per cent. above the list prices of certain specified firms in England. This agreement has been terminated on the representation of the company that it was losing by it, and a new agreement has been made which affects the company's stores at two places only. The maximum price of tinned and bottled goods at these places will be 90 per cent. above actual net cost in England, and not above retail price in England as suggested by the hon. Member. This price will include all charges for freight, customs duties, etc. There have been complaints in the past as to the sufficiency and quality of stocks, but the company has represented that it has to contend with great difficulties in connection with the carriage and maintenance of large quantities of perishable goods in a tropical country. The agreement contains stipulations for the supply of sufficient quantities of stores of good quality and for the settlement of complaints in case these stipulations are not carried out.

COLONEL LOCKWOOD: Is the hon. Gentleman aware that this increase in prices is inflicting considerable hardship on the officers employed by us?

MR. CHURCHILL: I have no reason to believe there has been any increase in the cost of living.

COLONEL LOCKWOOD: But the prices have been raised.

MR. CATHCART WASON suggested that the stores might be sent to a port not actually in Northern Nigeria but really the best landing place for them.

MR. CHURCHILL: I will have the matter considered. Obviously it is our duty to make the best bargain we can for our officers.

COLONEL LOCKWOOD: The information I have received is totally at variance with that given to the hon. Gentleman. Will he make further inquiry?

MR. CHURCHILL: If the right hon. Gentleman will communicate with me, I can assure him the Colonial Office will do its best to give effect to any recommendation he may make.

Northern Nigeria—Allowances to Civil Servants.

COLONEL LOCKWOOD: I beg to ask the Under-Secretary of State for the Colonies whether he will state why from the 1st April the local allowance of civil servants in Northern Nigeria was reduced from 5s. to 4s. a day; and whether the sum of 5s. a day was fixed to be paid to officers until the conditions of residential service were improved and officers provided with permanent quarters.

MR. CHURCHILL: The circumstances in which this allowance was originally granted, and the grounds on which it is now being reduced were stated at length in a written reply which I made to a Question on the 31st of July last,† and I would ask the hon. and gallant Member to refer to that reply, a copy of which I will send him for his convenience.

COLONEL LOCKWOOD: Is it the fact that in 1905 a proposal to reduce the allowance of officers was over-ruled by the then Secretary of State on representations being made to him?

MR. CHURCHILL asked for notice of the Question.

Northern Nigeria—Huts for Officers.

COLONEL LOCKWOOD: I beg to ask the Under-Secretary of State for the Colonies why officers in the majority of out-stations (viz., provincial headquarters) in Northern Nigeria have no houses provided for them, but have to use native mud huts.

MR. CHURCHILL: The construction of solidly built houses in the remoter stations in Northern Nigeria is being steadily proceeded with, in the face of great difficulties owing to lack of transport and of local building material. It is understood that improved houses have now been constructed, or are in process of construction, at most of the provincial headquarters. Pending their construction, officers are provided with houses built in the native fashion, which in many cases it would be misleading to call "mud huts," as they have been designed to accommodate Europeans and are not uncomfortable.

Labour Recruiting in Portuguese Territory.

MR. MACKARNESS (Berkshire, Newbury): I beg to ask the Under-Secretary of State for the Colonies whether His Majesty's Government have yet succeeded in inducing the Portuguese Government to grant full facilities to the Robinson group of mines in the Transvaal to recruit natives in Portuguese territory.

MR. CHURCHILL: As a result of representations which were made in July last by my right hon. friend the Secretary of State for Foreign Affairs to the Portuguese Government, a licence was granted to Mr. Holmes, the approved agent of the Robinson group of mines, to recruit in Portuguese territory. It was believed by His Majesty's Government that the issue of this licence would have the effect of securing to the Robinson group of mines the same facilities as were enjoyed by the Witwatersrand Native Labour Association, and this has been throughout and is still our intention. But when Mr. Holmes repaired to Portuguese territory to commence recruiting under his licence, he found that the permission to recruit was in his case construed by the Portuguese authorities as personal to himself alone, and that whereas the Witwatersrand Native Labour Association were permitted under a similar licence to employ a number of sub-agents as recruiters, he was expected to conduct the whole business of recruitment personally and alone. The effect of this decision was of couse to render nugatory in all practical effect the licence which had already in deference to representations of His Majesty's Government been secured. Negotiations are now proceeding with the Portuguese Government with a view to securing for Mr. Holmes and the interests which he represents the effective facilities which have hitherto been refused. Delays have however arisen, and I am not in a position to make any further statement on the subject except that our object is unchanged and the negotiations necessary to secure it will be steadily pursued.

---

† See (4) *Debates*, clxii., 675.

MR. MACKARNESS asked whether the Johannesburg Chamber of Mines had been exercising its influence over the Portuguese authorities to induce them not to grant these facilities.

MR. CHURCHILL: I have no official evidence of that kind.

MR. DALZIEL asked whether the net result was that up to the present no labourers had been recruited.

MR. CHURCHILL: I believe that up to the present time no labour has been recruited under this agency to which we desire to see facilities afforded.

MR. DALZIEL: Will the right hon. Gentleman consider the desirability of making representations to the Portuguese Government on the subject?

MR. CHURCHILL: Negotiations are in progress through the British Ambassador at Lisbon.

Newfoundland Fisheries—H.M.S. "Brilliante."

MR. LONSDALE (Armagh, Mid): I beg to ask the Under-Secretary of State for the Colonies whether the captain of His Majesty's cruiser "Brilliante" has assured masters of American fishing vessels that the *modus vivendi* rendered them immune from penalty under the Colonial Bait Act if they hired Newfoundlanders outside the three-mile limit; whether the same officer has notified the Colonial fishery inspector that he intended framing rules for the conduct of the herring fishery; and, if so, whether these announcements have been made with the authority of His Majesty's Government; and whether the Newfoundland Cabinet have protested against these proceedings.

MR. CHURCHILL: No such statement as that attributed to Captain Anstruther has been made by him to masters of American fishing vessels, nor has he framed any rules for the conduct of the herring fishery. All that he has done in this latter respect is to identify himself with a movement among the two sets of fishermen looking to the conclusion, in the interests of the amicable conduct of the joint fishery, of a voluntary working arrangement. The Colonial Government have protested against Captain Anstruther's action, but apparently under a misunderstanding as to the true facts of the case.

British West Indies—Department of Agriculture.

MR. MITCHELL-THOMSON (Lanark, N.W.): I beg to ask the Under-Secretary of State for the Colonies whether His Majesty's Government have yet decided as to the continuance of the Imperial Department of Agriculture in the British West Indies; and whether representations have been received as to the importance of the continuation of the work of the Department.

MR. CHURCHILL: The continuance of a grant from Imperial Funds in aid of the Imperial Department of Agriculture in the West Indies has now been guaranteed by His Majesty's Government for a period of five years from the 1st of April, 1908. The sum provided during the first of the five years will be £14,420, and the annual provisions will be progressively diminished so as to reduce the contribution to £7,000 in the last of the five years. From the 1st of April, 1907, the expenditure of the Department will be curtailed so far as the Commissioner of Agriculture finds reasonably possible, and the Commissioner will, with the Secretary of State's approval, endeavour to obtain progressively increasing contributions towards the cost of local agricultural institutions from such colonies as may be able to afford them. Representations as to the importance of the continuance of the work of the Department have been received by the Secretary of State.

Lord Selborne and the Transvaal Elections.

MR. MOLTENO (Dumfriesshire): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the intervention of Lord Selborne in Transvaal politics, as evidenced by the letter addressed to the Mayor of Pretoria from Government House, Johannesburg, dated 31st October, in favour of a Party Leader therein described as the protagonist of political warfare, and who is seeking a seat in the new Parliament for Pretoria; and, whether, in view of the neutrality enjoined upon a constitutional governor, he will state what action he proposes to take?

MR. DALZIEL had the following Question on the Paper: To ask the Prime Minister whether his attention has been drawn to a letter written by the High Commissioner in South Africa to Sir Percy Fitzpatrick, a candidate for Pretoria at the forthcoming elections, in which people were recommended to go and hear Sir Percy Fitzpatrick delivering an address; whether, at the meeting in question, the candidate defended the conditions under which Chinese labour is employed in the compounds; whether it is usual for High Commissioners to write letters which cannot fail to be regarded as of a Party character; and whether any representation has been, or will be, made on the subject?

MR. CHURCHILL: I will answer together this Question and that addressed to the Prime Minister by the hon. Member for Kirkcaldy Burghs. I have seen a telegram in the Press which refers to a private letter written by Lord Selborne to the ex-Mayor of Pretoria, in which he appears to have desired expressly to safeguard himself against the imputation of intervening in political contests. No action by the Secretary of State seems to be required.

MR. DALZIEL: Are we to understand that the Government approve of the High Commissioner's inviting people to go to hear a speech in defence of Chinese labour?

MR. MOLTENO: May I ask whether Lord Selborne desired that the letter should be made public?

MR. CHURCHILL: The letter has been published.

MR. DALZIEL: Are we to understand from the Answer of the Under-Secretary that the Government approve of the action of Lord Selborne in writing a letter not marked private inviting attendance at a meeting at which Chinese labour was defended?

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): I have not seen the letter. The Answer of my hon. friend is that he has seen a telegram in the Press which refers to a private letter, written by Lord Selborne to the ex-Mayor of Pretoria, in which Lord Selborne appears desirous to safeguard himself against the imputation of intervening in a political contest. No action by the Secretary of State seems to be required. We do not either approve or disapprove of Lord Selborne's action.

MR. DALZIEL: Then as no representation is to be made and no action taken, is the High Commissioner free to continue to write and publish letters in favour of pro-Chinese candidates?

SIR H. CAMPBELL-BANNERMAN: The High Commissioner must act on his own responsibility.

MR. J. WARD: Are we to take it for granted that the High Commissioner can do just as he chooses in these subjects, even if he is opposing the policy of His Majesty's Government at home?

SIR H. CAMPBELL-BANNERMAN: I really do not see how we could step in to control the High Commissioner in a matter of this sort. If we found that he was overstepping the limits and actively interfering in political elections then we might interfere.

MR. LYTTELTON (St. George's, Hanover Square): Is the Prime Minister aware that in the letter referred to by the hon. Member for Kirkcaldy Lord Selborne professed his desire, and, I sure, was anxious to make a conciliatory movement between the interests of Pretoria and those of Johannesburg?

[No Answer was returned.]

Gambling in the Federated Malay States.

MR. CATHCART WASON: I beg to ask the Under-Secretary of State for the Colonies if his attention has been directed to a petition said to be signed by nearly all the leading Chinese gentlemen, merchants, tin miners, and shopkeepers, and also by many of the leading Europeans in the Federated Malay States, praying for prohibition of gambling houses; and if he can state on what grounds His Majesty's High Commissioner of said States has refused to accede to the prayer of the petition.

MR. CHURCHILL: The petition referred to has been forwarded to the Secretary of State. The High Commissioner considers that the immediate abolition of licensed gambling is impracticable and that endeavours to enforce it would only lead to worse evils than those which it is desired to remove. The Secretary of State concurs in this view but, as I stated on 5th November,† in reply to the hon. Member for Renfrewshire (East), steps are being taken to restrict gambling as far as possible and to prepare the way for its eventual abolition.

The "Boer" Raid.

MR. A. J. BALFOUR (City of London): I wish to ask if the Government have any information to give to the House with regard to the alleged Boer raid?

MR. CHURCHILL: The following information has been received from the Governor of the Cape Colony. On Saturday he telegraphed:—"A Transvaal Boer named Ferreira, reported to have been lately in the employ of the Government of German South West Africa, has crossed our border from German territories with five followers, all armed, and has surprised two small police posts near Zwartmodder, breaking the helio line between Upington and Rietfontein. They have wounded two policemen, one seriously, and stolen horses, arms and ammunition, and are reported to be forcing all Boers to join them, stating that there is a rising in the Transvaal. We are taking all necessary steps. At present Ministers do not think the assistance of Regular forces is necessary. I have telegraphed to Governor German South West Africa reporting the circumstances and asking him to take steps to capture the freebooters should they return to German South West Africa, with a view to their extradition on charges of theft and attempted murder." On Sunday he telegraphed further as follows:—"Latest reports indicate that Ferreira was yesterday at Rooipoort, about thirty-six miles north of Upington, with eleven fully armed men. Inspector White left Upington last night in direction of Rooipoort with fifteen police and twenty-five enrolled Bastards to investigate. Colonel Lukin with fifty Cape Mounted Rifles and detachments of Cape Police, making up force to about 150, is on his way by rail from King William's Town to Prieska, and will arrive at Prieska 12th November, on his way to Upington. All the forces have been placed under his command. 350 more men will be available and will be sent if required. Various other military arrangements are being made concerning which no detailed statement would at at present be convenient."

MR. DALZIEL asked whether there was information at the Colonial Office to justify the belief that this so-called raid was engineered from Johannesburg in order to divert attention from Chinese labour.

MR. FLAVIN: Will the hon. Gentleman call for volunteers among the hon. Members above the gangway on this side of the House?

---

† See Col. 114.

The Congo Commission of Inquiry.

MR. HIGHAM (Yorkshire, W.R., Sowerby): I beg to ask the Secretary of State for Foreign Affairs if His Majesty's Government have given up the hope of inducing the Congo authorities in Brussels to publish the evidence of their own Commission of Inquiry, in accordance with the pledges given to His Majesty's Minister at Brussels before the Commission started its investigations.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. RUNCIMAN, Dewsbury; for Sir EDWARD GREY): We have continued to press the opinion that the evidence should be published.

MR. HIGHAM: Is the Government still pressing it?

MR. RUNCIMAN: The Government have not given up hope.

Italy and the Triple Alliance.

MR. LONSDALE: I beg to ask the Secretary of State for Foreign Affairs whether he has received any assurances from the Italian Government in reference to the position of Italy in relation to the Triple Alliance; and whether he is able to make any announcement on the subject.

MR. RUNCIMAN: The Answer is in the negative. No such communication has been asked for, offered, or expected.

The Algeciras Act.

MR. LONSDALE: I beg to ask the Secretary of State for Foreign Affairs whether the Algeciras Act has been ratified by all the Powers concerned.

MR. RUNCIMAN: The Powers which so far have ratified the Algeciras Act are Great Britain, Russia, Belgium and Morocco.

New Chinese Board of Communications.

MR. LONSDALE: I beg to ask the Secretary of State for Foreign Affairs whether his attention has been called to the creation of a new Board of Communications in China, which is to have control of the postal service, which has been an integral portion of the Imperial Maritime Customs, under Sir Robert Hart; and whether he has represented to the Chinese Government the risk of serious deterioration to the service in transferring the control from the Maritime Customs to an untrained native administration.

MR. RUNCIMAN: A new Board of Communications has, we understand, been created with control over railways, telegraphs, and postal administration. No change, we are informed, is thereby introduced in the present system of postal administration, but the Maritime Customs will be under the Board of Communications in respect of postal matters, in the same way as it is under the Revenue Council for Customs matters, and under the Wai-wu-pu for foreign questions, and the Board of Revenue for appropriations of revenue.

MR. FLAVIN: How many Chinese are registered in Mid Armagh?

Chinese Customs.

MR. LONSDALE: I beg to ask the Secretary of State for Foreign Affairs whether his attention has been drawn to the appointment of a Chinese official to the position of Commissioner of Customs at Yatung, on the Sikkim-Tibet frontier; whether this appointment has been made by direction of the Chinese Controllers General of Customs; whether this post has hitherto been held by an Englishman; whether he is aware of any other pending appointments which will displace Englishmen in the Chinese Customs service; and whether he has made any representations to the Chinese Government on the subject.

MR. RUNCIMAN: The post of Commissioner of Chinese Customs at Yatung has hitherto been held by a British subject. The appointment of a Chinese to the post is in accordance with an arrangement made at the time of the signature on 27th April last of the Convention with China, when an exchange of notes took place by which China undertook that in future no one not of Chinese nationality should be employed in Tibet in any capacity whatsoever. I am not aware of any other pending appointments which will displace Englishmen in the Chinese Customs service.

Mr. LONSDALE: Perhaps I may mention that Sir R. Hart is a native of Armagh.

Vaccination Exemption Certificates.

Mr. HART DAVIES: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of a man, named W. Evans, who, in September last, was refused exemption from vaccination for his child by Mr. Fordham sitting in the North London Police Court, though he stated his conscientious objection to vaccination and the grounds for it, and also added, what was the fact, that on precisely similar grounds, on 1st January, 1903, and 5th May, 1904, he had been granted exemption by Mr. Plowden at the Marylebone Police Court for two other children; and whether he will take such cases into consideration in any future legislation.

*The SECRETARY of STATE for the HOME DEPARTMENT (Mr. Gladstone, Leeds, W.): My attention has not been called to the case otherwise than by my hon. friend's Question. Legislation on the subject of vaccination would be in the hands of my right hon. friend the President of the Local Government Board, and I understand from him that in any such legislation cases of the kind referred to would receive his careful consideration.

Detention for Trial.

Mr. PICKERSGILL: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of a man tried before Mr. Justice Walton at Chester a fortnight ago, who had been kept in prison for five months before he was brought to trial, and, according to the statement of the governor of the prison, had during that period been confined to his cell twenty-two hours out of every twenty-four; and whether he will consider the present treatment in prison of untried prisoners, with a view to its revision, especially in regard to the size and appointment of their cells, and their opportunities for exercise and intercourse.

*Mr. GLADSTONE: I am entirely in sympathy with the hon. and learned Member's feeling about the long detention of prisoners waiting trial; but I would point out to him that untried prisoners cannot be allowed to associate freely with others of the same class, still less with convicted prisoners. The majority even of prisoners waiting trial are old criminals, and it would be the worst possible treatment for an innocent man or a first offender to allow him while waiting trial free intercourse with such persons. Subject to this consideration, the prison rules allow to untried prisoners the utmost possible liberty and indulgence, consistent with safe custody and with order and discipline in the prison: and, where the rules appear to act hardly in any case, the visiting committee have a wide discretion to modify the treatment. In the case to which the Question refers, the prisoner applied to be allowed to work elsewhere than in his cell, and a special cell for his work was assigned to him: and he was therefore constantly walking to and fro between the cells besides having his regular two hours a day for exercise. I am anxious to do all I can to alleviate the lot of untried prisoners, but I do not think I can make the rules more elastic or lenient than they already are.

Channel Islands and the Shipping Laws.

Sir W. J. COLLINS (St. Pancras, W.): I beg to ask the Secretary of State for the Home Department if he will state what action has been taken by the authorities of Guernsey and Jersey with a view to securing that the shipping laws obtaining in the Channel Islands shall be in harmony with the provisions of the Merchant Shipping Acts of the United Kingdom.

*Mr. GLADSTONE: The insular authorities have still under consideration the question of legislation in the direction desired by my hon. friend, and I am proposing a conference between representatives of the Islands, the Board of Trade, and the Home Office in order to hasten the matter.

The Immigration of Aliens.

Sir HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for the Home Department if he has received a communication from the Board of Deputies of the Jewish Synagogues in London making various suggestions for weakening the precautions ordered by Parliament as to the immigration of destitute aliens; and if he will take care that no assent is given by inadvertence to these proposals, having regard to the numbers of our own countrymen who are at the present time without employment in the East End of London and elsewhere, and the national danger of introducing into their midst trachoma and other contagious diseases, to which such aliens are particularly subject from their ignorance and disregard of the elementary principles of the science of hygiene and sanitation.

*MR. GLADSTONE: I have received several letters at different times from the London Committee of Deputies of the British Jews, but the hon. Member may rest assured that I shall not make any change in the administration of the Act without due care and consideration.

Child Paper-Sellers.

MR. WEDGWOOD (Newcastle-under-Lyme): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the statement in the Report from the chaplain of Wormwood Scrubbs Prison that it is absolutely necessary that something should be done to deliver those poor children and lads who get a precarious living by paper-selling in the streets; that there are a number of such persons confined in that prison of whom the vast majority have nothing before them but a vagabond life; and whether he will urge upon local authorities the importance of prohibiting paper-selling in the streets by children and lads.

*MR. GLADSTONE: I have seenthe. statement referred to in the Question Power is given to local authorities by the Employment of Children Act, 1903, to make by-laws prohibiting street-trading by persons under sixteen except subject to such conditions as may be specified in the by-laws; and such by-laws applying to paper-selling as well as other forms of street trading have now been made by a number of local authorities, with, I believe, very beneficial effects.

MR. WEDGWOOD: Will the right hon. Gentleman urge the local authorities to pass these by-laws where they have not done so?

*MR. GLADSTONE: We give them every information.

Magisterial Oaths.

MR. BRACE (Glamorgan, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to cases in which persons whose names have been added to the list of the justices of the peace for a county in England or Wales, have been required to take the oath of allegiance and the judicial oath before acting as magistrates, although they had previously taken these oaths prior to sitting as magistrates by virtue of holding the office of chairman of an urban district council situated in the same county; and whether he will take steps by legislation or otherwise to render unnecessary a second taking of these oaths.

*MR. GLADSTONE: I regret that I am unable to answer the hon. Member's Question, since it raises a point of law which I have no authority to determine.

Treatment of Debtors at Wormwood Scrubbs.

MR. O'GRADY: I beg to ask the Secretary of State for the Home Department whether a petition bearing date 26th May, 1906, addressed to the Home Office by a debtor prisoner named John Yallop, imprisoned at Wormwood Scrubbs, stating that the debtor prisoners were being subjected to solitary confinement and were being supplied with food unfit for consumption, was received at the Home Office; if so, whether any inquiries were made into the matter, and with what result; and, if the petition was not received, whether the prison officials acted in accordance with the prison regulations in not forwarding it.

*MR. GLADSTONE: This prisoner on 26th May applied to send a private letter to me at the House of Commons. In accordance with the rules, this was refused, but he was allowed instead to petition. I subsequently received from him three petitions, but they contained no complaint of solitary confinement or of bad food. The complaints he has made on these points since his release have been inquired into and I find they are without foundation.

Cost of Public Vaccination.

MR. PICKERSGILL: I beg to ask the President of the Local Government Board whether, having regard to the fact that the cost of public vaccination has risen since 1899 from £72,000 to £270,000, he can now state the result of the consideration which he promised, on 25th April last, should be at once given to the question; and will he state what steps he has taken, or proposes to take, in order to reduce the cost of the administration of the Vaccination Acts.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): I have given consideration to this subject, and expect shortly to be able to take action with regard to it.

Aliens in the Whitechapel Union.

SIR W. EVANS GORDON (Tower Hamlets, Stepney): I beg to ask the President of the Local Government Board whether he can state the total cost of granting relief to 783 aliens in the Whitechapel Union alone during 1905; whether he is aware that a large number of the aliens so relieved had ample means to pay for their maintenance at the infirmary although the guardians could only charge them 1s. per day; whether he can state what was the nature of the diseases from which these people were suffering; and whether it is intended to take any steps to prevent the ratepayers being imposed upon in the future.

MR. JOHN BURNS: The number of aliens referred to is stated to have been 793, and I am informed that the approximate total cost of relieving them was £1,740. The shilling a day mentioned in the Question relates to the actual cost of maintenance in the infirmary, but the sum of £1,740 is not restricted to this cost, but includes also an estimated amount on account of such matters as the remuneration of officers, the provision and repair of the buildings, etc. I understand that it is not the fact, so far as the guardians are aware, that a large number of the aliens relieved had ample means to pay for their maintenance. In seven cases only have the guardians been able to recover any part of the cost of maintenance. For the most part the aliens admitted were suffering from pulmonary tuberculosis, or insanity, or were admitted on account of child birth. There were also a few cases of ophthalmia and senile decay. It does not appear to me to be necessary that I should take any action in the matter.

SIR HOWARD VINCENT: How many aliens are supported by other unions in the Metropolis?

MR. JOHN BURNS: I should like notice of that Question.

Administration of the Vaccination Acts.

*SIR W. J. COLLINS: I beg to ask the President of the Local Government Board if he will state what action he has taken, or proposes to take, with a view to improving the present administration of the Vaccination Acts.

MR. JOHN BURNS: The subject is receiving my attention, but I am not in a position to make a statement with regard to it.

*SIR W. J. COLLINS: Will the right hon. Gentleman make that statement this session?

MR. JOHN BURNS: I will do my best.

Deaths from Starvation in London.

MR. ALDEN (Middlesex, Tottenham): I beg to ask the President of the Local Government Board whether his attention has been called to a Home Office Return showing that in 1905 there had been forty-eight deaths upon which a coroner's jury had returned a verdict of death from starvation or death accelerated by privation, in the county of London, of which fifteen were in the Eastern District, and whether eleven of these were in the Whitechapel district; what was the date of the commencement of the Home Office Returns of starvation cases, and what has been the number of deaths in Whitechapel declared by a coroner's jury to be from starvation or privation, from such commencement to the present time; what steps, if any, have been taken by the Local Government Board since the receipt of the like Return for 1904, with a view to a reduction of the number of such deaths; and will he suggest to the guardians and relieving officers of Whitechapel that they should make it known in

Whitechapel that in any case of serious or infectious illness (including phthisis and tuberculosis) of any person in Whitechapel destitute of the means of obtaining a doctor otherwise, an order would be given by the relieving officer for the union doctor to visit such sick person.

MR. JOHN BURNS: My attention has been called to the Return for 1905 referred to. I gather from it that of the fifteen cases which occurred in the Eastern District ten took place in Whitechapel. The first Return appears to have been made in 1870. I cannot at the moment give the number of the deaths in Whitechapel from starvation or privation during the whole period to which the Returns relate, but I may say that the number since 1891 (the year in which the Local Government Board first obtained the observations of the guardians on the cases included in the Return) is ninety-eight. As I stated in reply to my hon. friend's previous Question, I do not understand that there was any default on the part of the guardians or their officers in any of the cases mentioned in the Return for 1904, and consequently it did not devolve on the Local Government Board to take any action in the matter. I am not aware that the Whitechapel guardians interpose any difficulty in the way of medical attendance being given by the district medical officer in any case of urgent sickness on the part of a destitute person. On the contrary I understand that if the officer's attendance is not immediately available, they are willing to pay for a visit by another medical man, including medicines. Further, the guardians have an excellent infirmary into which cases of this kind are freely admitted.

The Borestone, Stirlingshire.

MR. SMEATON (Stirlingshire): I beg to ask the First Commissioner of Works whether in view of the historical and national interest attaching to the Borestone, in Stirlingshire, as marking the spot where King Robert Bruce planted his standard at the battle of Bannockburn on the 24th June, 1314, he will arrange to give the Borestone the protection of the Law by scheduling it under the Ancient Monuments Protection Act.

MR. RUNCIMAN (for Mr. HARCOURT): The historical nature of the stone seems to be "not proven": and the First Commissioner is, therefore, unable to take steps to have it placed in his charge.

MR. SMEATON: May I send the right hon. Gentleman proofs?

MR. RUNCIMAN: My right hon. friend will no doubt be glad to see them.

Children in Regent's Park.

MR. WHITEHEAD (Essex, S.E.): I beg to ask the First Commissioner of Works whether improved facilities can be granted in Regent's Park for the games and pastimes of children; and whether the present regulation which precludes them from playing games without authority can be so amended as to encourage a more general use of the park by the large number of children who are unlikely to apply for such authority; and whether notices can be published stating how, from whom, where, and under what conditions the required authority can be obtained by them or on their behalf.

MR. RUNCIMAN: The First Commissioner is inquiring into this matter. The facilities, however, are greater than the hon. Member seems to realise, and the First Commissioner has in fact received some representations that they are excessive, which, however, he is not inclined to admit. He will communicate with the hon. Member on the subject.

Parliamentary Procedure.

MR. C. B. HARMSWORTH (Worcestershire, Droitwich): I beg to ask the Prime Minister whether he can see his way to promoting such a change in the Rules of Procedure as will enable a Bill that has reached a certain but incomplete stage in one session to be taken up at the same stage in a subsequent session of the same Parliament.

SIR H. CAMPBELL-BANNERMAN: I do not think it will be possible to include this change in any immediate proposals relating to procedure. If the hon. Member has studied the question, as I have no doubt he has, he must be aware that there is a great weight of argument and authority on either side, and the change could not be effected without much consideration.

Butter Adulteration.

MR. FLYNN (Cork, N.): I beg to ask the Prime Minister whether his attention has been called to the Report of the Special Committee on the Butter Trade; and whether, in view of the evidence given as to the increase of adulteration and other malpractices to the detriment of honest producers and loss to the consuming public, the Government will undertake to introduce legislation at a reasonably early period next session.

SIR H. CAMPBELL-BANNERMAN: It is impossible for me to make any promise in this matter, but I am well aware of the importance of the subject and of the assistance which has been given to us by the work of the Committee.

MR. FLYNN: Is the right hon. Gentleman aware that the hon. Baronet who represents the Department of Agriculture gave me the pledge indicated in the Question?

SIR H. CAMPBELL-BANNERMAN: I can make no promise for next session.

Date of Meetings of Parliament.

MR. LYNCH (Yorkshire, W.R., Ripon): I beg to ask the Prime Minister whether the Procedure Committee has been authorised to examine and report upon the advisability of changing the date at which Parliament is usually called together from early spring to autumn; and, if not, whether they would be authorised to do so.

SIR H. CAMPBELL-BANNERMAN: This is not a matter which has been submitted to the Procedure Committee, and I do not think it could be dealt with in what remains of the present session.

Electoral Corruption.

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the First Lord of the Treasury whether it is the intention of the Government, having regard to incidents connected with the trial of the Great Yarmouth election petition and the public feeling aroused thereby, to introduce in the next session a measure calculated by the amendment and modification of the Election Petitions Acts to lessen the danger of miscarriages of justice and to provide further security against corruption in Parliamentary elections.

SIR H. CAMPBELL-BANNERMAN: I think it must be generally felt that there is room for improvement in the Election Petition Acts, but I cannot give any undertaking at the moment.

The Dogger Bank Inquiry and Commission Arbitration.

MR. CREMER (Shoreditch, Haggerston): I desire to ask the Prime Minister if he will state what amount was expended by this country in the negotiations with the Russian Government, concerning the damage done to the British fishing vessels by the Russian Fleet at the Dogger Bank, and the amount paid by Russia as compensation for damage done to the fishing vessels under the award of the Commissioners; and will he say whether the Commissioners were selected from or appointed by The Hague tribunal, and the total expenses incurred by the tribunal and the Commissioners in settling the dispute, and by whom the expenses were defrayed.

SIR H. CAMPBELL-BANNERMAN: The total expenses incurred by His Majesty's Government in connection with the Commission of Inquiry at Paris were £8,089 7s. 1d. This sum includes half the cost of the tribunal itself, the other half being paid by the Russian Government. In addition to this the Board of Trade incurred expenditure amounting to £3,134 11s. 3d. in connection with the inquiry at Hull. The amount paid by the Russian Government as compensation was £65,000. The method of selecting the Commissioners, and of paying the expenses of the Commission are clearly laid down in the terms of the Agreement of 25th November, 1904, which the hon. Member will find among the papers, presented to Parliament in Russia No. 2, 1905, pp. 57 and 58, Articles I. and VIII. The Commission has no connection with the Tribunal at The Hague, but was constituted on the model of International Commissions of Inquiry provided for by Articles 9 to 14 of the Convention for the pacific settlement of International Disputes signed at The Hague on 29th July, 1899.

The terms of this Convention have also been laid before Parliament.

Workmen's Compensation Bill.

MR. F. E. SMITH: I beg to ask the Prime Minister whether, having regard to the importance of passing the Workmen's Compensation Bill into law this session, he will name an early day for the Report stage.

SIR H. CAMPBELL-BANNERMAN: I hope that the Report stage of this Bill may be taken very shortly, but I cannot at present tell the hon. Member upon what day.

Naval Power Standard.

MR. F. E. SMITH: I beg to ask the Prime Minister whether it is the policy of the Government to make equality with the two next strongest Fleets the standard of our naval strength.

SIR H. CAMPBELL-BANNERMAN: The hon. Member's Question hardly appears to me to be one of substance, because the present strength of the British Navy is in excess of the two-Power standard. It will be time enough for him to give expression to apprehensions on this score when he can point to indications of our naval strength falling below the rough and ready standard which has now been observed for several years.

Transvaal Constitution.

MR. LYTTELTON: I beg to ask the Prime Minister what provision has been made in the new Constitution for safeguarding the interests of the settlers established in the Transvaal under the scheme of land settlement; and what were the recommendations of the Ridgeway Commission with respect to these settlers both in the Transvaal and Orange Colony.

SIR H. CAMPBELL-BANNERMAN: The policy to be pursued by His Majesty's Government towards the land settlers in the Transvaal will be apparent when the Letters Patent have been made public. No statements can with advantage be now made with respect to any of the recommendations of the Ridgeway Committee.

MR. LYTTELTON: Is it not the opinion of the first Constitutional lawyers that the Letters Patent will be irrevocable? And, if that is so, will the House have an opportunity of discussing the question of the settlers before the Letters Patent are issued?

SIR H. CAMPBELL-BANNERMAN: The irrevocability of Letters Patent is a legal question, and I should like to have advice upon it before I answer that Question.

MR. DALZIEL: When will the Letters Patent be issued?

SIR H. CAMPBELL-BANNERMAN: That is the next Question on the Paper in the name of the right hon. Gentleman opposite.

MR. LYTTELTON: I beg to ask the Prime Minister when the Letters Patent for the Transvaal Constitution will be issued.

SIR H. CAMPBELL-BANNERMAN: It is expected that they will issue during the present month; but at the latest before Parliament is prorogued.

NEW MEMBER SWORN.

Stephen Lucius Gwynn, esquire, for the Borough of Galway.

BUSINESS OF THE HOUSE.

Motion made, and Question put, "That the proceedings on the further consideration of the Land Tenure Bill, as amended, if under consideration at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House)."—(*Sir Henry Campbell-Bannerman.*)

The House divided:—Ayes, 274; Noes, 70. (Division List No. 392.)

AYES.

Abraham, Wm. (Cork, N. E.)
Alden, Percy
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott, Somerset
Barnard, E. B.
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil

Bell, Richard
Bellairs, Carlyon
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, J.H.(Essex, Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Branch, James
Brigg, John
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J.F.L.(Lancs.,Leigh)
Brunner,RtHnSirJ.T.(Cheshire
Bryce, Rt.Hn.James(Aberdeen
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Chance, Frederick William
Channing, Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Cleland, J. W.
Clough, William
Coats, SirT.Glen(Renfrew, W.)
Cobbold, Felix Thornley
Collins, SirWm. J.(S.Pancras,W
Cooper, G. J.
Corbett, C.H.(Sussex,EGrints'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crooks, William
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Ellis, Rt. Hon. John Edward
Evans, Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Gwynn, Stephen Lucius
Halpin, J.
Harmsworth, Cecil B. (Worc.)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haworth, Arthur A.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Idris, T. H. W.
Jacoby, James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor(Swansea)
Jones, Wm. (Carnarvonshire)
Joyce, Michael
Kearley, Hudson E.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb,EdmundG. (Leominster)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, SirJosephF.(Accrington
Lehmann, R. C.
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeigh, Jeremiah (Down, S.)
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Markham, Arthur Basil
Marks, G.Croydon(Launceston
Marnham, F. J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Norman, Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Grady, J.
O'Kelly, James(Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Perks, Robert William
Pickersgill, Edward Hare
Pollard, Dr.
Price, RobertJohn(Norfolk,E.)
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, Thos. (W. Monm'th)
Richards, T. F.(Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Rt. Hn. E. (Dundee
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L.(Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Sears, J, E.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thos. F. (Leitrim, S.)
Soames, Arthur Wellesley
Spicer, Sir Albert

Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sullivan, Donal
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Tennant, Sir Edward(Salisbury
Thomas, Abel (Carmarthen, E.)
Thomas, SirA. (Glamorgan, E.)
Thomasson, Franklin
Thorne, William
Torrance, Sir A. M.

Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Wallace, Robert
Walters, John Tudor
Walton, Sir John L. (Leeds, S.
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W.Dudley(Southampt'n
Wardle, George J.
Warner, Thomas Courtenay T.
Wason, Eugene (Clackmannan)
Wason, JohnCathcart(Orkney)
Waterlow, D. S.

Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonsihre)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, Osmond (Merioneth)
Wilson, Hn. C. H. W. (Hull, W.
Wilson, P. W. (St. Pancras, S.)
Young, Samuel

Tellers for the Ayes—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt.Hn.SirH.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Cavendish, Rt. Hn.Victor C.W.
Cecil, Lord R. (Marylebone, E.)
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt.James(Down, E.)
Craik, Sir Henry
Cross, Alexander
Dalrymple, Viscount
Dixon-Hartland, SirFredDixon
Duncan,Robert (Lanark,Govan

Faber, George Denison (York)
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hills, J. W.
Kenyon-Slaney, Rt.Hn.Col. W.
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Liddell, Henry
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S.
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Nicholson, Wm.G. (Petersfield)
O'Neill, Hon. Robert Torrens
Parker, Sir Gilbert (Gravesend)

Pease, HerbertPike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Remnant, James Farquharson
Roberts, S.(Sheffield, Ecclesall)
Rothschild, Hn. Lionel Walter
Rutherford, W. W. (Liverpool)
Sloan, Thomas Henry
Smith, Abel H.(Hertford, East)
Smith, F. E.(Liverpool,Walton
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Thomson, W. Mitchell-(Lanark
Thornton, Percy M.
Turnour, Viscount
Vincent, Col. Sir C. E. Howard
Wilson, A.Stanley(York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Younger, George

Tellers for the Noes—Sir Alexander Acland-Hood and Viscount Valentia.

LAND TENURE BILL.

Order read, for resuming Adjourned Debate on Amendment proposed [8th November] on Consideration of the Bill, as amended (by the Standing Committee):—

Which Amendment was—

"In page 2, line 24, at the end, to insert the words, '(4) This section shall not apply to Scotland.' "—(*Mr. Cochrane.*)

Question again proposed, "That those words be there inserted in the Bill."

Mr. MITCHELL-THOMSON (Lanarkshire, N.W.) said that before rising he had waited for a moment to see if any right hon. or hon. Gentleman on the Treasury Bench rose to offer any reply to the arguments of his hon. friend. He did not wish to recapitulate those arguments but merely to urge one or two reasons why, in his judgment, this clause should not apply to Scotland. There was no question as to the desirability of giving compensation for damage by game. There had been at all events no question of that sort in Scotland for the last thirty years; they had had there during that period practically complete compensation for damage done to crops by game. The system had stood the test of time. Their faith had been justified by their works. The present system had been in operation for the past generation and by common consent it had worked well. They were now invited to change it, and if he thought they were going to gain something by the change he for one would not object to it. There would then be some reason to change their faith, but unless they had some inducement to recant, they should be, unlike the hon. and learned Gentleman, somewhat slow to change their faith in the method which had hitherto been pursued, and adopt a system which was much more complicated and certainly less effective than that at present obtaining. What advantages would they gain? It might be said that they would have the advantage that a man who had received a reduction in his rent for possible damage would be able to get from an arbitrator compensation for the same damage. He put that on one side, however, because that was a case which they on that side of the House and a large number of hon. Members opposite thought violated the principle of natural and essential justice. Apart from that, in case of ordinary damage where there was no contract subsisting between the farmer and the landlord, the farmer would get the right which he had not now to recover for that ordinary damage up to 40s., but in order to get that the farmer had to prove the area, and that the damage over that area was over 1s. an acre. That was not good enough to induce the Scottish farmer to support the provisions of the Bill. Upon an earlier Amendment the Solicitor-General for Scotland had stated that this Amendment would not affect any of the provisions for ground game, that hares and rabbits would not be included in its scope. That was all very well and good, but then the hon. and learned Gentleman went on to say in answer to a subsequent Amendment that the only game in regard to which the Scottish farmer ever thought of making any claim for damage was ground game. He asked, therefore, if this clause was not to apply to ground game, and the damage by ground game was the only damage which was ever claimed by the Scottish farmer, what was the use of applying all this curious machinery to Scotland? The only other argument which he had heard in favour of its application to Scotland was from the hon. Baronet in charge of the Bill, who had said that it had been approved of by the Chamber of Agriculture. The hon. Baronet seemed, however, to be under somewhat of a misconception, because the Chamber, by their report stated that—

> "It was moved to approve the second clause of the Bill which had reference to damage by ground game."

If that was the reason why the Agricultural Chamber approved of that clause, *ex hypothesi* they did so under a complete misapprehension. Under this clause the Scottish farmer stood to gain practically nothing at all; at any rate, he stood to lose a great deal more than he would gain.

THE SOLICITOR-GENERAL FOR SCOTLAND (Mr. URE, Linlithgowshire) said the House would see that it was quite impossible to make a common answer as to all the clauses of the Bill as applied to Scotland, or to pick or choose and say that this clause should apply and that should not. They would have either to proceed by way of a separate Bill for Scotland altogether, as the Liberal Government did in 1883, or to deal with both countries in the same Bill, as the Unionist Government of 1900 did. If the Amendment were carried, so far as damage for injury by game was concerned, they would come under an entirely distinct method of procedure from that applicable to other claims under the Bill. If there was one thing upon which Scottish farmers were absolutely united it was that all questions of dispute between them should be settled by one arbitrator. Therefore if effect was to be given to the proposal of his hon. friend, a single arbitrator would be called in to settle all other disputes, but when they came to a case of game damage they would have to revert to the procedure of 1877 and have two arbitrators and an umpire called in to settle what after all might be a trivial amount of damage. Supposing they did not have two arbitrators, then the case would have to be tried in the Sheriff's Court, and he had never heard anyone say that that was a good tribunal to dispose of disputes between landlord and tenant. Hon. Members had extolled the merits of Scottish Acts of Parliament, but the clause for which he was responsible embodied the pith and marrow of the Scottish legislation although it was true that he had omitted the provision which gave landlords and tenants the power to fix a minimum sum beyond which a claim for compensation should not go, because the House had decided that there was to be no contracting out as regarded damage done by game, and as to the insertion of a minimum a claim. His recent statement that in Scotland they did not have claims for damages for winged game was correct and it was also quite correct to say that this clause in its present form only applied to winged game and not to ground game, because is was not intended by this clause in any way to affect the Ground Game Act of 1880. But his hon. friend asked what was the use of this Act for Scotland if the landlords did not pay damages for injury done by winged game. What was the answer? The Scottish landlords and tenants were very reasonable. The tenants knew very well that they had a right to make a claim if excessive injury was done, and the landlord knew that if he unduly preserved game the tenants had that right, and the fact that they had the right led the landlord to take the course of not unduly preserving game, and the fact that the tenant had the right to claim led him not to press any trivial claim against the landlord. But was that any good reason for saying that the Scottish tenant should not have the right of making a claim if necessity arose? The course proposed by hon. Members opposite would lead to the making of claims which would not be made at the present moment. The Scottish Chamber of Agriculture unanimously came to the conclusion that this clause should be accepted, but the hon. Member for North-West Lanark seemed to think from an extract from the report that they believed it applied to ground game. He thought, however, that the words which the hon. Member read must have been a misprint; he did not think so skilled a body as the Scottish Chamber of Agriculture could have been under such a misapprehension. These were the reasons which led him to say that it was impossible to accept the Amendment and draw a distinction between England and Scotland which would have the effect of prejudicing the Scottish farmer.

MR. YOUNGER (Ayr Burghs) said it appeared that the Amendment prejudiced the Scottish landlord in regard to compensation, because it was possible for the Scottish tenant to claim a second time for damage which had been allowed for in the rent. In the case of deer forests, the tenants were aware of the effect which their vicinity would have in regard to the grazing of sheep, but it seemed that under this clause it would be perfectly possible for a grazing tenant to claim compensation for damage done by deer for which he had already received allowance in the fixing of his rent. It seemed to him that if any proof were wanted of the impossibility and unfairness of applying this Act to Scotland it would be found in this clause. If they looked at the genesis of the Bill they would find that its sponsors included two English solicitors, one English barrister, one English newspaper proprietor, and an English author. They were all English gentlemen; there was not a Scottish name among those who backed the Bill, and its authors could not be expected to know anything about the law of Scotland. He, in fact, rather admired the boldness of these gentlemen in trying to apply their legislation to Scotland, and he also admired the Solicitor-General for Scotland for the ability with which he had endeavoured to make the worse the better case. He certainly thought that Scotland so far as this clause was concerned should be exempted from the Bill.

VISCOUNT TURNOUR (Sussex, Horsham) understood the hon. and learned Gentleman to say that the Committee upstairs acquiesced in this clause, and thought it would be in the interest of all parties in Scotland. He and those on that side of the House, however, objected very strongly to the clause and also to its application to Scotland.

MR. URE: In its final form no division in regard to it was taken.

VISCOUNT TURNOUR said that that was not his recollection. He thought the objections to it were sustained to the end. It seemed to him that the fact that a Small Holdings Bill applying to Scotland was to come before the House was another reason for not applying this clause to Scotland. The whole system of Scottish land tenure would be upset by this Bill, and he thought they ought to discuss the Small Holdings Bill before they passed the measure now under discussion.

*MR. COURTHOPE (Sussex, Rye) wished to corroborate the impression of the hon. Member for Horsham in regard to the action of the Committee. He quite admitted that they did not divide against the clause as it finally stood, but they fought against the original clause to the very best of their ability, and the original clause still remained, although some subsections for which they were grateful had been added. It was because they were grateful to the hon. and learned Solicitor-General for Scotland for introducing those subsections that they did not divide against the clause as finally framed.

SIR FREDERICK BANBURY (City of London) asked whether in Scotland deer were game, and if they were not, what protection would the crofter get under this clause in the way of damages.

MR. WILLIAM RUTHERFORD (Liverpool, West Derby) said it was always desirable not to have one law in Scotland and another in England upon the same subject. It would, therefore, have been desirable to have embodied the clauses of the Scottish Act in regard to landlord and tenant in a Bill for England. He had always been told that where the Scottish law differed from the English the former was the better, and having regard to the admission of the Solicitor-General for Scotland he thought it would be better that this Bill should not apply to Scotland. There ought to be a real grievance to remedy before proposing legislation. It had been admitted that there was no damage in Scotland by winged game, and as this clause was quite unnecessary for Scotland, why should not that country be exempted from its operation?

MR. ALEXANDER CROSS (Glasgow, Camlachie), as an old member of the Chamber of Agriculture for Scotland, and with a large knowledge of farming opinion in Scotland, asked his hon. friends not to take a course which he considered would defeat the protection which this Bill attempted to give to farmers. Was it to be contended by Unionists that there should be one law for Scotland and another for England? They ought to apply the same justice to farmers whether they were in England or in Scotland. He was perfectly certain the opinion of the Chamber of Agriculture was in favour of this clause, and that the Scottish farmers would feel that they were entitled to the same benefits as were English farmers in this matter. If the same excess of game preserving should occur in Scotland as in England why, in the name of justice, should not the benefit of this Act be applied? They could not be passing Bills of this sort every day, and, therefore, let them make it fair all round.

Question put.

The House divided;—Ayes, 69; Noes, 284. (Division List No. 393.)

AYES.

Acland-Hood, Rt.Hn.SirAlex.F
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hon. Sir
Balcarres, Lord
Baldwin, Alfred
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Beach, Hn.Michael HughHicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Cavendish, Rt HnVictor C.W.
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas.Curtis(Antrim,S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Dixon-Hartland, SirFredDixon
Faber, George Denison (York)
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Kenyon-Slaney, Rt.Hn.Col. W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Liddell, Henry
Lockwood, Rt.Hn.Lt.-Col.A.R.,
Long, Rt.Hn.Walter(Dublin,S.
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
O'Neill, Hon. Robert Torrens
Parker, SirGilbert(Gravesend)
Pease, Herbert Pike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall

Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F.E. (Liverpool, Walton
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Tennant, Sir Edward (Salisbury
Thornton, Percy M.
Turnour, Viscount
Valentia, Viscount
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. (Stuart
Younger, George

TELLERS FOR THE AYES—Mr. Mitchell-Thomson and Viscount Dalrymple

NOES.

Abraham, Wm. (Cork, N. E.)
Alden, Percy
Ambrose, Robert
Asquith, Rt.Hn. HerbertHenry
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, JohnEmmott (Somerset
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bellairs, Carlyon
Bennett, E. N.
Berridge, T .H. D.
Bertram, Julius
Bethell, J. H. (Essex, Romford
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, ArthurW. (Bedfordshire
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Branch, James
Brigg, John
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh)
Brunner, Rt.Hn.SirJ.T. (Chesh.
Bryce, Rt.Hn.James (Aberdeen
Bryce, J.A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Carr-Gomm, H. W.
Chance, Frederick William
Channing, Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, Sir T.Glen (Renfrew, W.)
Cobbold, Felix Thornley
Cooper, G. J.
Corbett, CH (Sussex, E.Grinst'd
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crooks, William
Cross, Alexander
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Ellis, Rt. Hon. John Edward
Evans, Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Gwynn, Stephen Lucius
Halpin, J.
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hills, J. W.
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hutton, Alfred Eddison
Idris, T. H. W.
Jardine Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, SirD.Brynmor (Swansea)
Jones, Wm. (Carnarvonshire)
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, SirJosephF. (Accrington)
Lehmann, R. C.
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Markham, Arthur Basil
Marks, G. Croydon (Launceston
Marnham, F. J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Molteno, Percy Alport
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, Chas. N. (Doncaster)
Nolan, Joseph
Norman, Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (TipperaryMid
O'Brien, Patrick (Kilkenny)

O'Connor, James(Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly,James(Roscommon,N.
O'Malley, William
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Perks, Robert William
Philipps, J.Wynford(Pembroke
Pickersgill, Edward Hare
Pollard, Dr.
Price, Robt. John (Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, Thos. (W. Monm'th)
Richards, T. F.(Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick, B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soames, Arthur Wellesley
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Thomas, Abel (Carmarthen, E.)
Thomas, SirA.(Glamorgan, E.)
Thomasson, Franklin
Thorne, William
Torrance, Sir A. M.
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Wallace, Robert
Walters, John Tudor
Walton, Sir John L.(Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hon. C. H. W. (Hull,W
Wilson, HenryJ.(York, W. R.)
Wilson, P. W. (St. Pancras, S.)
Young, Samuel
Yoxall, James Henry

Tellers for the Noes—Mr. Whiteley and Mr. J. A. Pease.

*Mr. SPEAKER: The first part of the Amendment standing in the name of the hon. Member for South Ayrshire has already been discussed, but he may move the second and third parts.†

*Mr. BEALE (Ayrshire, S.), in moving the remaining portions of the Amendment of which he had given notice, said that the second part of the Amendment was necessary in the interests of justice and that the third part was necessary because in many cases the shooting tenant could not prevent the damage and he might not be the tenant of all the land from whence the game came. In the next place the shooting tenant did not always hold the land for the whole of the season, and was very frequently limited to prevent diminution of the stock.

Amendment proposed—

"In page 2, line 24, at end, add the words 'And for this purpose (1) such other person shall be entitled to have the amount of compensation determined by arbitration to which he is a party, and (2) the arbitrator may relieve or partially relieve such othe person from his obligation to indemnify, if it appear to the arbitrator that such other person was prevented by the terms on which he held his right to kill game from preventing or mitigating the damage.'"—(*Mr. Beale.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. ABEL SMITH (Hertfordshire, Hertford) asked the Solicitor-General for Scotland if a farm tenant commenced proceedings to recover compensation for damage by game, would the shooting tenant, who would be the third party, necessarily have notice of the proceedings. As he would be the party who would have to pay the damage it seemed most unfair that he should be kept in ignorance of the fact that a claim was being made until the whole thing was settled and the landlord called upon him to pay.

Mr. URE said it was not advisable to complicate the clause by accepting the Amendment of his hon. friend. The landlord against whom the claim was made by the tenant would give notice of the claim to the shooting tenant, and in the ordinary course of events he would make the shooting tenant a party to the arbitration. Claims for relief were not at all unusual in law, and the invariable course taken by a man who was entitled to relief was to make the person ultimately liable a party to the litigation or arbitration. If he did not do so, and ultimately he was found liable in damages, he might find it very difficult to recover from the shooting tenant if that tenant could say, "You had a very good defence against that claim, and if you had come to me you might have been able to show quite easily that the damage was very much less than has been found. Why did you not intimate it to me?" A man entitled to relief as a matter of invariable practice intimated his claim to the person ultimately liable, and, although the arbitration took place nominally between the landlord and the tenant, in reality it was between the tenant and the shooting tenant. It was quite unnecessary to introduce provisions of this kind. As to the second part of the Amendment, it would always be in the power of the arbitrator to mitigate the damages or disallow the claim altogether if he found that the man who had a right to kill the game could not prevent or mitigate the damage. He was aware that it was not made imperative upon anybody to give the shooting tenant notice of a claim, but as a matter of fact he would have notice because the landlord would for his own sake instantly give notice of any claim made against him. In the Scottish law there was no claim to relief given and it had never been found in practice to work out unjustly. He did not know of any precedent for making it necessary to intimate a claim to a man against whom they had no right, and in practice the landlord would intimate the claim to the shooting tenant.

---

† The words ruled out of order were :—"The tenant shall, if so requested by the landlord, give to such other person the same notices as he is hereby required to give to the landlord."

Mr. WALTER LONG (Dublin, S.) said the reply of the hon. and learned Gentleman only seemed still further to complicate the position, and the practical difficulty raised by the mover of the Amendment had not been dealt with. This clause proposed to give a claim for damages to the tenant against the owner irrespective altogether of the source from which the damage came. The Amendment naturally sought to provide for the third party, that was to say the shooting tenant, having proper notice. The object of the clause, he presumed, was to give a right of compensation to the tenant of agricultural land for the damage done to his crop by game coming from the property of his landlord. In practice there would be thousands of cases where the damage would be done by game which did not come from the landlords' property at all. The landlord would have an intimation that a claim for damages was going to be made against him and he would, of course, inform the shooting tenant; but the man against whom the claim was made would have no knowledge of the person who was the real cause of the mischief, namely, the shooting tenant. The Amendment was the natural corollary of the proposal of the Government. If the Government were going to give the tenant a right to claim compensation against his landlord for damage for which he was in no sense responsible, then it was only fair that the Amendment should be accepted. Unless such an Amendment were adopted one inevitable result of the Bill would be considerable litigation. Another result of this clause would be that the very object which the Government had in view would not be attained, namely, that, if a tenant sustained real damage in consequence of game he should get compensation from the person who had caused the damage. In this case, unless they brought in the shooting tenant and gave him a right to be a party to the proceedings, it seemed to him that the tenant would make his claim, and that the landlord, if he were wise, would at once bring the shooting tenant into the business; but if he did not, the shooting tenant would not know anything of what had been done until the award had been made. The hon. Gentleman had said in regard to the second part of the Amendment that they must trust the arbitrator to take into consideration the position of the shooting tenant. In ninety-nine cases out of a hundred in this country the shooting tenant took a shooting subject to one of two conditions. The more general condition was that he was allowed to shoot what he liked; and the other condition was that the limit of game he might kill was fixed under the agreement. If the damage was done by game which was over-preserved and the shooting tenant was only allowed to kill a limited quantity, how was the farmer to recover against him if he said that under his agreement he was not allowed to kill more? If the landlord proved that he had let the shooting, what became of the unfortunate tenant to whom they were giving the right to compensation? Unless some words were added to this clause it would not effect what the Government desired to do, and yet they refused to adopt the only practical Amendment by which they could give effect to their own wishes.

COLONEL KENYON-SLANEY (Shropshire, Newport) said the argument which he had heard up to the present had assumed that the shooting tenant was the owner of the game that caused the damage. He pointed out that that need not be so. The game might be from the estate of a neighbour of the landowner whose tenant had suffered damage. Therefore, they were not really doing justice to the shooting tenant by arguing from the point of view that he was really the owner or controller of the game, or that he had it in his power to prevent the damage. That appeared to have been overlooked by the learned Solicitor-General for Scotland and also by the mover of the Amendment. He thanked the Solicitor-General for Scotland for having given the sanction of his great authority to the view that it would have been better in dealing with this question to introduce the principles of the Scottish Act. That was what he had asked the Government to do and what they had refused to do.

SIR FREDERICK BANBURY said the Solicitor-General had not grasped the true meaning of the Amendment. There were two principles involved. The first was that the shooting tenant should have the right to get the amount of compensation determined by the arbitration to which he was a party. He need not refer to what had already been decided—that the tenant should not be obliged to give notice to the shooting tenant. The shooting tenant would not receive notice from the farmer, but the principle in the first part of this Amendment was that the landlord who was going to recover from the shooting tenant should send him notice.

*MR. SPEAKER: That portion of the Amendment has not been moved.

SIR FREDERICK BANBURY: With all respect, the second section of the Amendment says—

> "Such other person shall be entitled to have the amount of compensation determined by arbitration to which he is a party."

He cannot be a party to the arbitration unless he is informed.

*MR. SPEAKER: He becomes a party to the arbitration, but he receives no notice of the damage. He becomes a party to the arbitration under the words of the Bill.

SIR FREDERICK BANBURY said he did not think there was anything in the Bill which would provide for that, and that was the reason why the shooting tenant complained that the landlord could claim from him the amount which he had had to pay. The landlord could merely say, "An arbitration has taken place and I have had to pay £60." That was the reason for this Amendment. It was only fair that the shooting tenant should be a party to the arbitration if he was to be liable to pay for damage. It seemed to him impossible that the Government could refuse to accept that plain and simple proposition. The second principle, which contained the Amendment, was a different thing altogether. The Amendment said—

> 'The arbitrator may relieve or partially relieve such other person from his obligation to indemnify, if it appear to the arbitrator that such other person was prevented by the terms on which he held his right to kill game from preventing or mitigating the damage."

It was possible, as his right hon. and gallant friend had pointed out, that game might come from the land of an adjoining owner, and that the shooting tenant had no power to stop it from doing damage. It was only fair, therefore, that the arbitrator should take that fact into consideration. It should be remembered that in a good many parts of England the shooting rights were very valuable, and farm were let at a rent reduced by 4s. or 5s. per acre on account of the value of the shooting rights. If they put this clause in the Bill, they would do great damage to the farmers in those districts where the farming rights were worth very little on account of the badness of the soil. The hon. and learned Gentleman thought this Amendment unnecessary, because everything which it proposed would be done. Why not put it in the Bill if it was going to be done? It would be a safeguard and would hurt no one.

MR. WILLIAM RUTHERFORD pointed out that there was to be compulsory arbitration between landlord and tenant and the amount of damage would be fixed for which the landlord was responsible. If no notice was to be given to the shooting tenant it was perfectly plain that the amount of compensation would be fixed behind the back of the shooting tenant. The next step would be that the shooting tenant would have to indemnify the landlord for the amount of damage fixed by the arbitrator. It had been said that sub-section (ii.) of the Amendment was unnecessary, but that was not so, because all litigation would not be avoided. If hon. Members would look at the clause itself they would see that the words were that—

> "The landlord shall be entitled to be indemnified by such other person against all claims for compensation."

For everything for which under the arbitration the landlord was liable, he was to have an indemnity from the shooting tenant. The House ought to provide against that monstrous injustice. Most of the claims arising against the shooting tenant would be small and might lead to litigation; but it was desirable that there should be as little litigation as possible. He agreed that it would be better instead of having law suits on the top of arbitration, one arbitration should decide the matter. It seemed to him that if the hon. Baronet, instead of rejecting every Amendment, would try to understand the sense and force of the Amendments reluctantly proposed from his own side in order to improve the Bill, they would get on more quickly.

MR. BEALE, in order to save the time of the House, asked leave to withdraw his Amendment. [OPPOSITION cries of "No."]

Question put, "That those words be there inserted in the Bill."

The House divided:—Ayes 73; Noes, 299. (Division List, No. 394).

AYES.

Acland-Hood, Rt.Hn.SirAlexF
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn.Sir H.
Balcarres, Lord
Baldwin, Alfred
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael HughHicks
Beckett, Hon. Gervase
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Cavendish,Rt.Hn.VictorCW
Chamberlain, Rt.Hn.J.A.(Worc
Cleland, J. W.
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Corbett, T. L. (Down, North)
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Dalrymple, Viscount
Dixon-Hartland, SirFredDixon
Duncan, Robert(Lanark,Govan
Faber, George Denison (York)
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hills, J. W.
Kenyon-Slaney, Rt. Hn.Col.W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Liddell, Henry
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S.
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, A. E. W. (Coventry)
Mason, James F. (Windsor)
Mildmay, Francis Bingham
O'Neill, Hon. Robert Torrens
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Roberts, S.(Sheffield, Ecclesall)
Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arther Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H.(Hertford, East)
Stanley, Hn.Arthur (Ormskirk)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Thomson, W.Mitchell-(Lanark)

Thornton, Percy M.
Turnour, Viscount
Valentia, Viscount
Wilson, A. Stanley (York, E. R.
Wortley, Rt. Hn. C. B. Stuart-
Younger, George

TELLERS FOR THE AYES—Mr Beale and Mr. Courthope.

NOES.

Abraham, Wm. (Cork, N. E.)
Alden, Percy
Ambrose, Robert
Asquith, Rt. Hn. Herbert Henry
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somerset
Barnard, E. B.
Barry, E. (Cork, S.)
Beauchamp E.
Beck, A. Cecil
Bellairs, Carlyon
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, J. H. (Essex, Romford
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire)
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, J. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Chesh.
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Chance, Frederick William
Channing, Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W
Cooper, G. J.
Corbett, C. H. (Sussex (E Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crooks, William
Cross, Alexander
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan (Cardigan)
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Evans, Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Fiennes, Hon. Eustace
Flavie, Michael Joseph
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Halpin, J.
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harkey, A. G. C. (Rochdale)
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hutton, Alfred Eddison
Idris, T. H. W.
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea
Jones, William (Carnarvonsh)
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb. Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, Sir Joseph F. (Accrington)
Lehmann, R. C.
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Kean, John
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Markham, Arthur Basil
Marks, G. Croydon (Launceston
Meagher, Michael
Menzies, Walter
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, Chas. N. (Doncast'r)
Nolan, Joseph
Norman, Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, Conor (Mayo, W.)
O'Kelly, James (Roscommon)
O'Malley, William

O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk, Eye)
Perks, Robert William
Philipps, Col. Ivor(S'thampton
Philipps,J.Wynford(Pembroke
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, RobertJohn (Norfolk,E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Richards, Thos. (W. Monm'th.)
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Rt.Hn.E. (Dundee)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir Robert Snowdon
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, HerbertL.(Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Schwann, SirC.E.(Manchester)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soames, Arthur Wellesley)
Spicer, Sir Albert
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Tennant, SirEdward(Salisbury)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A.(Glamorgan, E.)
Thomas, DavidAlfred (Merthyr
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Thorne, William
Torrance, Sir A. M.
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Wallace, Robert
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southamptn
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson, Hn. C. H. W. (Hull, W.
Wilson, Henry J.(York, W. R.)
Wilson, P. W. (St. Pancras, S.)
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. DUNN moved to add the words, "The word 'game' in this Act shall, for the purposes of this Act, be deemed to include deer, pheasants, partridges, grouse, and black game.'" The reason he left out hares and rabbits was that the tenant had at the present time a right to shoot ground game. The term game was a very indefinite term and he submitted that if a definition clause of this kind was not adopted it might be difficult to say what exactly was meant by "game." He did not think the House would for a moment doubt the necessity of a definite pronouncement of what they meant when they used the word "game," and it was in order to avoid possible litigation in the future that he now begged to move.

MR. NICHOLLS (Northamptonshire, N.) formally seconded the Amendment.

Amendment proposed—

"In page 2, line 24, at end to add, 'the word "game" in this Act shall, for the purposes of this Act, be deemed to include deer, pheasants, partridges, grouse, and black game.'."—(*Mr. Dunn.*)

SIR EDWARD STRACHEY (Somersetshire, S.) thought the hon. Gentleman was quite right in saying that there ought to be some definition, because in every Act dealing with "game" there was a definition. He was prepared to accept the Amendment in the form moved and was glad to see that it included deer. A certain amount of damage was done by deer, and it was therefore desirable that the tenants should be compensated for such damage.

COLONEL KENYON SLANEY said he did not object to the spirit of the Amendment. He only desired to point out that by accepting it in its present form there would be many exclusions—quail, bustard, and wild duck, for instance. It seemed to him that with the best intention in the world the hon. Member who moved the Amendment took a short-sighted view. With regard to quail, they were most harmless birds, and many people were making great efforts to preserve them. The bustard had become largely a matter of natural history, but he should be sorry to see such a bird excluded from the definition of game. There was also a largely increasing desire among shooting people to include wild duck. Without saying anything against the spirit of the clause he asked the hon. Baronet in charge of the Bill to take a little time to consider what should be included in the definition.

SIR EDWARD STRACHEY pointed out that these were not excluding but including words, and, further, that duck were not game.

MR. YOUNGER moved, as an Amendment to the Amendment, to insert before the word "deer," "under any contract of tenancy made after the passing of this Act." Although they knew that deer were game under the Crofters Act of Scotland, and it was quite right that compensation should be paid for any damage done by them, in Scotland they had many deer forests which were also grazed by sheep and consideration was given, if not in terms, to the tenant who rented the grazing. He did not think it was the desire of the House that compensation in such a case should be given twice over. It was a special case and was entirely distinct from that of over-preservation of game on an agricultural estate. It would therefore be a great hardship if this Amendment applied to Scotland, because the result would be what they had no desire to see, namely, that sheep would be cleared off the deer forests altogether. It would not pay a man to keep sheep in his deer forests, as he practically got all his rent from his shooting tenant. He thought the Bill should not apply to deer forests.

SIR FREDERICK BANBURY thought this was a very important Amendment and he hoped the Government would accept it. Its object was really to prevent people in Scotland who paid large sums for a deer forest from being liable to pay compensation to the tenant, who only paid a small rent for the grazing in the forest. In that rent he had already been compensated and he ought not to be compensated twice over. Such an Amendment therefore was absolutely essential. Had the hon. Member for Ross and Cromarty been supporting it, the original Amendment would have looked like an insidious attempt to destroy deer forests altogether. But, as the hon. Member was not present, he thought the word "deer" had been introduced in error by people who had overlooked what the result would be. The hon. Baronet in charge of the Bill had made some allusion to deer in the southern parts of England, which he believed was the only part of the country where deer were unenclosed. But unless he (Sir F. Banbury) was mistaken, the right hon. Baronet the Member for the Wellington division did not say he wished deer to be included, but, on the contrary, thought that if deer were included, people who subscribed to the hunt would be hardly dealt with. But supposing for the sake of argument it was necessary to include deer in the southern part of England, it would be extremely easy to amend the Amendment by adding to the proposal of his hon. friend the words "in Scotland." There was no Member of the House save perhaps the hon. Member for Ross and Cromarty, who would not agree that the Amendment ought to be modified. He would like also to know whether deer were game in Scotland or not.

Amendment proposed to the proposed Amendment—

"To insert after the word 'deer' the words 'under any contract of tenancy made after the passing of this Act.'"—(*Mr. Younger.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

MR. URE said this Amendment would seem to be a little belated. Deer had been game in Scotland ever since the year 1587. And in the Act of Parliament held in such high esteem by hon. Members opposite, deer were included in the first item of the first schedule as game, and the tenant had a right to compensation for the damage done by deer.

Amendment to the proposed Amendment negatived.

VISCOUNT TURNOUR moved as an Amendment to the proposed Amendment to insert after the word "deer" the words "other than deer escaped from a deer park." He regarded this as a most important Amendment. There was nothing under this Bill or this clause as it stood to prevent an evil which might easily occur. A number of deer might get out of a deer park, come on to his land, do considerable damage to the crop in the field of one of his tenants, and the tenant would come to him for compensation. The hon. Baronet seemed much amused at the suggestion contained in the Amendment. He assured him, however, that in Sussex considerable injury might be done in this way, and the landlord might have to pay a large sum of money in compensation for damage from a cause over which he had no control whatever. He asked whether under the original Amendment there was anything to prevent such an occurrence as he had stated. As far as he knew there was not. He might have land lying adjacent to a deer park the owner of which was perhaps a Radical—and therefore, an enemy of his—who took an opportunity of letting his deer out. If they went on to his (Lord Turnour's) land and the tenant asked for compensation for the damage done, there was nothing under the Amendment to prevent his having to pay. In another case of which he had personal knowledge a number of deer got out owing to a fence breaking down during a gale. Forty fallow deer strayed and a considerable amount of damage was done to a wheat field adjacent to the park, which park did not belong to the same owner. Under the Bill the tenant would be able to claim a large sum of money as compensation, and great injustice would be done to the landlord. He wished to protest against the action of the hon. Baronet in treating the Amendment, before he had heard it, apparently as a joke. It was a very serious matter as far as owners of land near deer parks were concerned.

Mr. STANLEY WILSON (Yorkshire, E.R., Holderness) said that close to his home there had been a case where a dozen deer had escaped from a park and roamed through the country doing a great deal of damage. It seemed to him it would be a very great hardship if the landlord, who had nothing to do with the deer, was to be mulcted in heavy compensation for damage done by them. The matter was one which required most careful consideration. He quite agreed with the remarks of the noble Lord and gladly seconded the Amendment.

Amendment proposed to the proposed Amendment—

'After the word 'deer' to insert the words 'other than deer escaped from a deer park.'"—(*Viscount Turnour.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

Sir A. ACLAND-HOOD (Somersetshire, Wellington) said with reference to deer escaped from a park, it was in the power of any owner to shoot deer on his land with the ordinary 10s. licence. If deer were made "game" he would have to take out a £3 3s. licence. He thought this was a reasonable Amendment and one the Government ought to accept.

Mr. ABEL SMITH asked if this Amendment was to apply to deer kept in parks. He pointed out that such deer had never yet been regarded as game, but as a chattel, and that if a man killed and carried away a deer he was under the present law guilty of larceny. Was it intended by the Government, when they accepted the Amendment of the hon. Member for Camborne, that it should apply to such deer as those which were practically tame and kept in parks as an ornament? If they escaped, as they often did, and ate the crops on a neighbouring owner's land, were they to be regarded as "game?"

Sir EDWARD STRACHEY thought this Amendment only revived the Amendment they had already dealt with. The question as to whether or not the deer were tame did not, in his opinion, matter very much, because in either case the tenant had his crop eaten up. The whole object of this clause was to give compensation to the tenant and to see that he was protected, and the Government were determined to achieve that object. In the case given by the noble Lord, the landlord could very well take care of himself.

Mr. WALTER LONG did not think the hon. Baronet quite appreciated the effect of this Amendment. Had said that the heroic determination of the Government was that the tenant should be protected from the damage of which they had heard so much in this House and so little from agricultural tenants. The Amendment proposed that the provision should not apply to those deer that had escaped from parks. The hon. Baronet had stated that the taking out of a licence was only a small matter, and that there would not be many such cases as had been put forward. That, however, did not alter the great injustice which would be done It was only fair that the compensation should be obtained from those who did the damage. The difficulty into which they had got was only another illustration of the extreme absurdity of dealing with this question in the way proposed. The Government had declared that it was their sacred principle to give the tenant compensation, but they had not yet realised that they were not doing it in a reasonable and just manner. What was more, they were giving the tenant a right which he could not establish, to claim against the person who had not done the damage, and they were ignoring the facts connected with the tenure of land and the preservation of game. If the Government wished to do justice in this matter the best thing they could do was to drop the whole of this unjust clause, and leave the law as it stood at present, under which the tenant farmer got absolute justice in regard to this matter.

The SOLICITOR-GENERAL (Sir W. Robson, South Shields) said the answer which the right hon. Gentleman had himself put forward was perhaps the best that could be given under the circumstances. He had said that although they heard a good deal about damage by game in the House of Commons they heard very little about it in the country. He could not agree with the right hon. Gentleman on that point. The noble Lord who moved this Amendment had mentioned a case where deer escaped from a park and did a certain amount of damage in a wheat field. He wondered whether in that case the owner of the deer failed to pay compensation for the damage done.

Mr. STANLEY WILSON: Compensation was not paid in my case.

Sir W. ROBSON said that those who kept deer, as a rule, were persons well able to afford compensation, and there was nothing more uncommon than that an English gentleman who kept deer should refuse anybody compensation. What they desired to prevent was deer doing damage without any liability attaching to their owner. It should not be forgotten that this Bill only applied to game which the tenant had not the lawful right to kill, but the tenant had the lawful right to kill deer, and the landlord could not call upon him to pay damages at all, because he had the right to shoot the deer. Of course the tenant would not shoot the deer, but would rely upon the owner paying adequate compensation. If for any reason the owner did not pay adequate compensation, then the tenant could shoot the deer, and in that way he would get far more compensation than the landlord would be likely to pay him.

Colonel KENYON-SLANEY said the hon. and learned Gentleman seemed to think that there was no part of England where wild deer could be found. He wished to point out that in his own county there was a stretch many thousands of acres upon which wild fallow deer had existed since the days of Robin Hood. There was another place on the flank of Shropshire where also wild deer were to be found, and in many places in England wild deer had become indigenous to the soil. How did the law stand? The occupier of land could save himself by shooting those deer just as if they were hares or rabbits, but if they made them come under the definition of game he could not shoot them without a licence. He noticed that Mr. Speaker not long ago was enjoying himself very much upon an English deer forest and more than one heavy stag fell to his rifle, so that in the interests of Mr. Speaker's sport he hoped the House would be careful how they proceeded in this matter. The result of the Government proposal would be that they would limit the power of the tenant to protect himself.

Sir **FREDERICK BANBURY** said that if a fence was broken down by a gale of wind and the deer got out of the park into a field of wheat belonging to a neighbouring tenant, as the law stood at present the tenant could protect himself by shooting those deer if he possessed a 10s. gun licence. It had been said that the gamekeepers might assist him, but in many cases the keepers had not got a game licence and consequently the farmer would be thrown back upon his own resources. The hon. Baronet the Member for South Somerset had said the tenant could easily go and get a game licence, but that was not so simple a matter as he appeared to think. It was obvious that to say that landlord A was to pay compensation because the deer from the park of landlord B had damaged his tenant's crops was absolutely absurd. The Solicitor-General had said that nobody with a sporting instinct would do that sort of thing, but he did not think they ought to rely upon sporting instinct in a matter of this kind. As a rule the deer escaped by an Act of God, and it was quite possible for the shooting tenant to say that he had done everything he could to keep his farm in order. He was not quite sure that under this Bill the tenant would not be able to get compensation twice over. If the owner of the deer compensated the farmer, he believed that the tenant would be able to proceed against the landlord as well. The case had been put so clearly that even hon. Gentlemen opposite must see that they were not doing the tenant any good by refusing to accept this Amendment.

Mr. **DUNN** said the words of his Amendment were distinct and emphatic. It stated that—

> "The word 'game' in this Act shall for the purposes of this Act be deemed to include deer, pheasants, partridges, grouse and black game."

Therefore his Amendment altered no existing law and took away no existing right, and to suggest that it did was, to use the words of the hon. Baronet opposite, absolutely absurd.

*Mr. **COURTHOPE** asked if the agricultural tenant would have the right under the clause as it stood to kill the deer as if they were wild. He also wished to know if the tenant would be able to claim compensation from the owner of the deer from whose park they had escaped. The clause seemed to him to assume that the deer were private property, but they were not. If they were wild animals they might be killed as such, but in that case they could not be recognised as private property. It was reasonable that a farmer should either retain the right to shoot deer as wild animals, or be allowed compensation from the owner, as if they were private property, but not that he should have both rights at the same time.

Question put.

The House divided :—Ayes, 78 ; Noes, 319. (Division List No. 395.)

AYES.

Acland-Hood, Rt.Hn.SirAlexF
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt.Hn. SirH.
Balcarres, Lord
Baldwin, Alfred
Balfour, Rt.Hn.A.J.(CityLond)
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.
Beach, Hn.MichaelHugh Hicks
Beckett, Hon. Gervase
Boyle, Sir Edward
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cavendish, Rt. Hn. VictorC. W.
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt.Hn.J.A.(Worc
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J.(Bir'ingham
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Captain Jas. (Down, E.)
Craik, Sir Henry
Dalrymple, Viscount
Dixon-Hartland, SirFred Dixon
Duncan, Robert(Lanark,Govan
Faber, George Denison(York)
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Houston, Robert Paterson
Hunt, Rowland
Kenyon-Slaney, Rt.Hn. Col.W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Liddell, Henry
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S.
Lansdole, John Brownlee
Lowe, Sir Francis William

Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Mildmay, Francis Bingham
O'Neill, Hon. Robert Torrens
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rawlinson, JohnFrederickPeel
Remnant, James Farquharson
Roberts, S.(Sheffield,Ecclesall)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H.(Hertford,East)
Smith, F.E.(Liverpool,Walton)
Stanley, Hn. Arthur (Ormskirk
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Thomson, W. Mitchell-(Lanark
Thornton, Percy M.
Valentia, Viscount
Wortley, Rt. Hon. C. B. Stuart
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Viscount Turnour and Mr. Stanley Wilson.

NOES.

Abraham, Wm. (Cork, N. E.)
Alden, Percy
Allen, A.Acland(Christchurch)
Ambrose, Robert
Asquith, Rt.Hn.Herbert Henry
Baker, Sir John (Portsmouth
Baker, Joseph A. (Finsbury,E.)
Baring, Godfrey(Isle of Wight)
Barker, John
Barlow, John Emmott(S'merst
Barnard, E. B.
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bellairs, Carlyon
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, J. H. (Essex, Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, ArthurW.(Bedfordshire
Boland, John
Bolton, T. D. (Derbyshire,N.E.
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L. (Lancs. Leigh)
Brunner, RtHn.SirJ.T.(Chesh.)
Bryce, Rt. Hn. Jas. (Aberdeen)
Bryce, J.A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, C. W.
Causton,Rt.Hn.RichardKnight
Chance, Frederick William
Channing, Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes J. R.
Coats, SirT.Glen(Renfrew, W.)
Cobbold, Felix Thornley
Collins, SirWm.J.(S.Pancras,W
Corbett, CH.(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crooks, William
Cross, Alexander
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N
Dickson-Poynder, Sir John P.
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Ellis, Rt. Hon. John Edward
Evans, Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Ginnell, L.
Gladstone, Rt.Hn.Herbert Joh
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Halpin, J.
Hardie, J.Keir(Merthyr Tydvi
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R.L.(Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Manch. S.)
Herbert, Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hutton, Alfred Eddison
Idris, T. H. W.
Jackson, R. S.
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, SirD. Brynmor (Swansea
Jones, William(Carnarvonshire
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kincaid-Smith, Captain
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lehmann, R. C.
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George

M'Kean, John
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Markham, Arthur Basil
Marks, G.Croydon(Launceston
Mason, A. E. W. (Coventry)
Masterman, C. F. G.
Magher, Michael
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, Chas.N.(Doncast'r)
Nolan, Joseph
Norman, Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk, Eye
Perks, Robert William
Philipps, Col.Ivor(S'thampton)
Philipps,J.Wynford (Pembroke
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, RobertJohn(Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards,Thomas(WMonm'th)
Richards, T.F.(Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Rt.Hn.E.(Dundee)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Schwann, SirC.E.(Manchester)
Scott, A. H. (AshtonunderLyne
Sears, J. E.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soames, Arthur Wellesley
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A.Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Tennant, SirEdward(Salisbury
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A.(Glamorgan, E.)
Thomas, DavidAlfred(Merthyr
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Thorne, William
Torrance, Sir A. M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Walker, H. De R. (Leicester)
Wallace, Robert
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W.Dudley (Southamptn
Wardle, George J.
Warner, Thomas Courtenay T.
Wason, Eugene (Clackmannan
Wason, John Cathcart(Orkney
Waterlow, D. S.
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Hn. C. H. W. (Hull, W.
Wilson, Henry J. (York, W. R.)
Wilson, P. W. (St. Pancras, S.)
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

Original Question again proposed.

MR. FORSTER (Kent, Sevenoaks) asked what would be the position of the landowners and tenants of land within the boundaries of the New Forest? He believed that in the New Forest there were a considerable number of deer belonging to the Crown. He was not aware that the old statute about the killing of deer being a hanging matter had been repealed. He asked whether he would be able to get the amount which he had to pay refunded to him by the Crown, or whether the Crown would refuse to accept any responsibility in the matter, in which case he would be infinitely worse off than other landowners in other parts of the country. That was a point on which they were entitled to have some information.

COLONEL LOCKWOOD (Essex, Epping) said he wished to enter a caveat on behalf of his constituents in Epping Forest. The forest was full of deer and, as there was not much to eat there, they ate the crops in his constituents' gardens and fields. He understood that up to the present time the tenant, when his crops were damaged, had power to shoot the depredator without any licence at all. Under this Bill, unless the tenant was in possession of a £3 licence, was he to sit still and see his whole garden devastated by the inroads of deer? If he shot the deer he might be prosecuted for shooting game without a licence. That seemed to him to be perfectly unfair. If these fallow deer were to be allowed more and more to commit these depredations, were his constituents to be deprived of the right of shooting them?

VISCOUNT TURNOUR said it appeared to him that part of this Amendment was out of order. It said the word "game" should be deemed to include "deer." He understood that, under the law as it stood, a tenant had the right to shoot deer, but the clause said—

> "Where the tenant has sustained any damage from game that he has not a lawful right to kill,"

he should be entitled to compensation from his landlord. Would he have the right to compensation for damage by deer?

*MR. SPEAKER: That is a subject for litigation in the future.

LORD R. CECIL (Marylebone, E.) asked what was the view of the Government as to the question of deer. The clause said—

> "Where the right to kill game is vested in some person other than the landlord, the landlord shall be entitled to be indemnified by such other person against all claims for compensation under this section."

Did or did not that give any right to compensation against the Crown in the case mentioned by his hon. friend? If it did, how was it going to be enforced? Was there any case of a right against the Crown being given in that way? Was not the citizen's right limited to bringing a petition, that the Crown out of its goodness should grant that for which he prayed? But that right was hedged about by extremely rigid rules, and such a petition could not be brought for a tort. To say that there should be a right to compensation—the right to enter an action for tort in such a case as that to which his hon. friend had referred—would certainly be a new departure in the law of the country. Had the law officers of the Crown really considered how such a claim could be enforced? Though he had no particular objection to litigation in principle, he did not wish litigation to be chaotic.

SIR W. ROBSON pointed out that the Bill only applied in cases in which damage was done by game which the tenant had not the lawful right to kill. The latter part of the section dealt with the case of indemnity where the right to kill was vested in somebody else. In the case of deer which the tenant had the lawful right to kill, his remedy was in killing the deer. The hon. and gallant Member for Epping had said that up till now his constituents had had the right to shoot deer when they came on their land.

COLONEL LOCKWOOD: Perhaps I was wrong in using the word "right." They have done so.

SIR W. ROBSON was quite sure the hon. and gallant Gentleman's constituents would not break the law. When this Bill passed, in his opinion they would not even have to take out a game licence, as deer were only made game for the purposes of the Bill. They were not made game generally.

MR. WALTER LONG said the hon. and learned Gentleman had with great adroitness answered the easier of the questions put to him, but he had omitted to answer the graver of the questions asked by the hon. Member for Sevenoaks as to the condition of things in the New Forest. He complained that without any explanation the Government proposed to add to a Bill they had made their own these remarkable words proposed by the hon. Member below the gangway. The hon. and learned Gentleman had laid down what he believed to be the law, but, however highly they estimated his opinion, it would not be security against legal difficulties hereafter. This Amendment was not moved by anybody on the Opposition side of the House. Why did the Government want to complicate the measure by introducing a fresh definition of game?

SIR W. ROBSON: The definition is limited to the purposes of this Act.

MR. WALTER LONG said what the Government proposed to do would make confusion worse confounded. Why not withdraw this Amendment? Would it make the Bill better to add these remarkable words which required so much explanation? What was the object of having this definition of game?

MR. MILDMAY (Devonshire, Totnes) said that in future if they passed the clause as it stood, anyone who went deer stalking would be in considerable doubt as to whether or not he should take out a game licence.

*MR. RAWLINSON (Cambridge University) said that he was compelled on this occasion to support the Solicitor-General. By the Act relating to game licenses a man was compelled to have a licence if he wished to kill deer, although deer was not game. Then came one exception that the licence was not required for the taking and killing of deer in any enclosed lands by the owner or by his direction and permission. This seemed to answer the question propounded by his right hon. friend.

SIR FREDERICK BANBURY said that under the Amendment the tenant would not be in quite as good a position as he would be under the clause as it stood. There was no reason why this Bill should have been introduced by people who did not know what they were doing, unless it was for a political purpose, and he thought the Amendment had been proposed with a similar object.

MR. COURTENAY WARNER (Staffordshire, Lichfield) thought the Government should leave out the words of the Amendment, for the word "game" was much more comprehensive than the suggested definition, which excluded wild duck and other kinds of wild fowl which were generally regarded as game and did more damage to crops than other kinds of game. Capercailzie were not included in the Amendment, and yet they did damage. Moreover, the definition would also prevent other species of game which might be introduced into the country from coming under the Bill.

MR. A. J. BALFOUR (City of London) said that after the speeches to which they had listened the Government must feel that some explanation of their policy was necessary. The Solicitor-General's ingenious speech scrupulously avoided explaining why these words should be added to the Bill at all. Everybody admitted that pheasants, partridges, hares, rabbits, grouse, heath or moor game or black cock were game already; but there were certain animals which might be included in the term "game" which might come under the Act. If deer were only game for the purpose of this Bill, then deer could be killed now, and would be equally liable to be killed if the Bill became an Act. Were deer to be killed under this Bill or could they be killed now?

SIR W. ROBSON said that tenants might have been limited in their contract in the right to kill deer.

MR. A. J. BALFOUR said that the Government applied themselves to the main subject of the Amendment only by way of courtly interruption. It would be better to disclose what was the Government policy; and some answer should be given to a point which had been raised regarding the right of the Crown in the New Forest. The Amendment possessed almost every fault it could have. It put in what ought not to be put in and omitted what, if it was to be in the Bill, it ought to include. It was at best totally unnecessary. The Government ought to give a general account of their policy on this matter.

*MR. CARLILE (Hertfordshire, St. Albans) said that the Amendment was very incomplete. Some birds which did most damage to crops were omitted from this specification, and he did not see why the collection should not be very considerably increased. He supposed it was possible for the House to constitute as game other animals than those included in the Amendment. He suggested that rooks should be added to the Amendment. He did not want to intrude private matters on the attention of hon. Members, but being a farmer himself he had suffered very severely from rooks—not from his own rooks, but from those of his neighbours; his own rooks were very well conducted. Rooks in pursuit of wire-worm had often torn up his root crops. Then there were pigeons. He believed they were all agreed that pigeons ought to be made game for the purposes of this Act. They seriously injured the crops and were very difficult to control and to shoot. He ventured to appeal to hon. Members, especially to those sitting about him, to insist on the inclusion of rooks and pigeons in the ornithological catalogue of the Amendment. There were also certain wild animals which ought also to be included. It seemed an undesirable thing that such a meagre and indifferent list should have been submitted to the House, and he suggested that the rest of the names to be found in Buffon's Natural History should be included.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington) said he only rose in response to the appeal made for a statement. The point was very simple. Here was a clause which enacted something in the nature of a statutory stipulation to be introduced into the relationship of landlord and tenant. The first subsection provided that, where a tenant sustained damage from game he had not the lawful right to kill, he should be entitled to compensation, and this was followed by subsections working out that right. Then at the end it was found there was no definition of game, a *nomen connotativum* which had varied at different periods of history and in England and Scotland meant different things; therefore it was desirable to insert a clause defining game, not generally, but for the purpose of this measure. Another point raised had relation to the New Forest and Crown lands, but there no difficulty was presented. The relations might be twofold; the Crown might have as tenant somebody who stood in relation of landlord to a sub-tenant, and the sub-tenant would have the right against the immediate tenant. As in any other case, if he had the right to kill he had not the right to compensation, and if he had not the right to kill he had a right to compensation. Then the noble Lord took a case where the Crown was direct landlord.

LORD R. CECIL said the right hon. Gentleman was not familiar with the third subsection. Where the Crown had an intermediate tenant, then the sub-tenant would go against his immediate landlord, who would have right of compensation from the Crown, but no means of enforcing that right.

MR. HALDANE said it was a statutory provision that could be enforced in the same way by petition of right.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said he had had officially to do with Crown property and had been advised that no Act bound the Crown unless the Crown was expressly mentioned. The Postmaster-General, for instance, as representing the Crown, was not bound by the obligations of the Building Acts.

MR. HALDANE said this, no doubt, was true in regard to the prerogatives of the Crown, but in the relations of landlord and tenant and within the purview of the Act, the Crown would be bound by the stipulations in the Act like any other landlord, and the stipulations could be enforced by petition of right.

*SIR ROBERT HOBART (Hampshire, New Forest) said a great deal had been said about deer in the New Forest, but he could not say they were very numerous. He had lived there all his life, and he had recently been round and round the New Forest, perhaps to the discomfiture of hon. Members opposite, but in the course of his perambulations he had never seen any deer nor heard of any damage committed by them. He was perfectly aware that there was a pack of deer hounds in the New Forest, and he had no doubt that it was most gallantly followed, but the only way in which he could follow it now was in the newspapers, and he regretted to say that he frequently learned that they had had a "blank day." Some allusion had been made to the removal of the deer; a few years ago the deer certainly used to do some damage, but an Act was passed and latterly no damage had been complained of because under the Act the deer had been removed.

MR. STUART WORTLEY (Sheffield, Hallam) said that, after all the learning which had been lavished upon the House by many professors of the law, he could not see anything in this Amendment except an attempt to take away existing rights in the most mischievous and perplexing way possible. He congratulated the Government upon the perplexity and the conflicting state of things which the Amendment they had accepted would bring about.

Question put.

The House divided:—Ayes, 309; Noes, 81. (Division List No. 396.)

AYES.

Abraham, Wm. (Cork, N. E.)
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Asquith, Rt. Hn. Herbert Henry
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somerset
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, W. (T'wr Hamlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bethell, J. H. (Essex, Romford
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire
Bolton, T. D. (Derbyshire, N.E.)
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Chesh.
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Chance, Frederick William
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W
Corbett, C. H. (Sussex, E. Grinst'd
Cornwall, Sir Edwin E.
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crooks, William
Cross, Alexander
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Ellis, Rt. Hon. John Edward
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Ginnell, L.
Gladstone, Rt Hn. Herbert John
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Halpin, J.
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Isaacs, Rufus Daniel
Jackson, R. S.
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea
Jones, William (Carnarvonshire
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, Sir Joseph F. (Accrington
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln
Markham, Arthur Basil
Marks, G. Croydon (Launceston
Mason, A. E. W. (Coventry)
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay Cornwall
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, Chas. N. (Doncaster
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans

Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
O'Shee, JamesJohn
Parker, James (Halifax)
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk, Eye
Perks, Robert William
Philipps, Col.Ivor(S'thampton)
Philipps, J.Wynford(Pembroke
Philipp, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Price, RobertJohn(Norfolk,E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Richards, Thos. (W. Monm'th)
Richards, T.F.(Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robertson, Rt. Hn. E. (Dundee
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel
Schwann, Sir C.E.(Manchester)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thos. F. (Leitrim, S.)
Snowden, P.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A.(Glamorgan, E.)
Thomas, DavidAlfred(Merthyr
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Thorne, William
Torrance, Sir A. M.
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Walker, H. De R. (Leicester)
Wallace, Robert
Walters, John Tudor
Walton, Joseph (Barnsley)
Ward, John(Stoke upon Trent)
Ward,W.Dudley(Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart(Orkney
Waterlow, D. S.
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Hn. C. H. W. (Hull, W.
Wilson, Henry J. (York, W. R.)
Wilson, P. W. (St. Pancras, S.)
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood, Rt.Hn.SirAlexF
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher,Rt. Hn. SirH.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.
Beckett, Hon. Gervase
Bertram, Julius
Boyle, Sir Edward
Brocklehurst, W. B.
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Castlereagh, Viscount
Cave, George
Cavendish, Rt.Hn. Victor C.W.
Cecil, Lord R. (Marylebone, E.)
Chamberlain,Rt.Hn.J.A.(Worc
Cheetham John Frederick
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Dalrymple, Viscount
Dixon-Hartland, SirFredDixon
Duncan, Robt. (Lanark, Govan
Faber, George Denison (York)
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Kenyon-Slaney, Rt. Hn.Col.W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S.
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Montagu, E. S.
Nicholson, Wm. G. (Petersfield
O'Neill, Hon. Robert Torrens
Pease, HerbertPike(Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson, John FrederickPeel
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Rothschild, Hon.Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.
Smith, Abel H. (Hertford, East
Smith, F.E.(Liverpool,Walton)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Talbot, Rt.Hn.J.G.(Oxf'dUniv
Tennant, SirEdward(Salisbury
Thomson, W. Mitchell-(Lanark
Thornton, Percy M.
Turnour, Viscount
Valentia, Viscount
Warner, Thomas Courtenay T.
Wilson, A.Stanley (York, E.R.
Wortley, Rt. Hn. C.B. (Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Mr. Hicks Beach and Mr. Courthope.

MR. AUSTEN CHAMBERLAIN moved to insert, "provided that any redress given by this section may be enforced against the Crown as fully as against a subject." That was, he said, the intention of the Government, because the right hon. Gentleman had expressed the opinion that the Crown would come within the purview of this Act, though not specially mentioned. He failed to see the distinction drawn by the right hon. Gentleman between the Bill and the Buildings Act, which specially did not bind the Crown. He also took this opportunity of putting another question which arose with regard to the New Forest and other parts of the country. There were certain freeholds within the boundaries of the New Forest. Supposing a freeholder let such land to a tenant, and the crops were injured by the deer of the forest, the tenant would be compensated by his landlord, unless he had the right to kill. The question he wished to ask was this: Had any person beyond the Crown a right to give to another the right to kill deer within the forest? He spoke with all hesitation, but he had been hearing a little about forest law lately, and unless he was much mistaken the severest penalties could be imposed upon any person killing deer within the forest without the special licence from the Crown.

Amendment proposed—

"In page 2, line 24, after the words last inserted to insert the words, 'Provided that any rights given by this section may be enforced against the Crown as fully as against a subject.'"—(*Mr. Austen Chamberlain.*)

Question proposed, "That those words be there inserted in the Bill."

SIR W. ROBSON said he did not complain of the moving of this Amendment without notice. The right hon. Gentleman was quite within his right; he only called attention to the fact that no notice had been given to excuse himself for stating what hon. Gentlemen opposite sometimes complained of, namely, his opinion only. It seemed to him that all this discussion was unnecessary for two reasons. First of all, because no ground for complaint arose on the part of the landlord unless he had restricted his tenant from killing game.

MR. AUSTEN CHAMBERLAIN said his point was that the landlord in this specific case had not the right himself, and therefore could neither give nor restrict the right.

SIR W. ROBSON said it was not at all a question of whether the landlord had the right to kill or not. The Act applied when the landlord restricted and only when he restricted. [Cries of "No."] Indeed, it was so. The subsection applied to game which the tenant had not the lawful right to kill, but now the tenant had the lawful right to kill game unless the landlord stopped him. [Cries of "No."] Would the right hon. Gentleman tell him of any statute or provision which forbade the tenant to kill game unless the landlord stopped him by agreement?

MR. AUSTEN CHAMBERLAIN said he could not refer the hon. and learned Gentleman to such a statute. He had hoped the hon. and learned Gentleman, being learned in the law, would have been able to refer him, who was ignorant of the law, to a statute. He believed, however, that the Forest law made it an offence for anyone to kill a deer within the forest. The freeholder could not restrict the rights of the tenants, but they could not give the tenants a right they had not themselves got. This Bill gave the tenant a claim to compensation against the landlord. Would the landlord have any claim against the Crown for damage done to crops by game?

SIR W. ROBSON said he knew of no statute that forbade a tenant from killing deer in the New Forest. This Bill was an Amendment to the Act of 1900, and that Act was to be read with the Act of 1883, which expressly gave rights against the Crown. They had been told that there was now no damage by deer in the New Forest. In other times there were great complaints about damage by deer, but the Crown had been careful since to restrict the deer to enclosures, where no harm could be done. He had no objection to the application of the Act to the Crown except a natural hesitation to support anything which affected the prerogatives or rights of the Crown. Of course, if they found that any substantial damage was likely to be done to any one by the omission of these words the Government would take care to have them inserted in another place; but he hoped the House would not ask the Government to accept them without fuller information.

MR. FORSTER thought the consideration just advanced might be weighed with the hon. and learned Gentleman before the Government accepted the last Amendment. If the hon. and learned Gentleman had had time to reflect upon all the points involved in that Amendment he would probably have saved the House much time, hon. Members a good deal of trouble, and the country a great deal of future litigation. The hon. and learned Gentleman had not touched the point raised by the present Amendment. They had asked for information as to whether there was any statute which prevented freeholders or their tenants from killing deer within the boundaries of the New Forest. He had lived in the New Forest for a number of years, and understood that ever since the time of William the Conqueror the killing of a deer there had been a crime punishable by hanging. The point they desired to have elucidated was, if one of the New Forest deer damaged a tenant's crops, and he claimed from his landlord, could that landlord obtain payment from the Crown?

SIR W. ROBSON said he had looked up the sections to which he had referred, and he thought he could now satisfy the right hon. Gentleman that this Bill was to be read and construed with the Agricultural Holdings Act of 1900. The principal Act, by Section 1, referred to the Agricultural Holdings Act of 1883, which said that the Act should extend and apply to land belonging to the Crown, and that the Commissioners of Woods and Forests, as representing the Crown, were "to be deemed to be the landlord," so that the difficulty did not arise.

LORD R. CECIL submitted that the position in which they were was an illustration of the strange course which the Government had taken with regard to this Bill. Nothing could be clearer than that the section last referred to by the Solicitor-General would not apply to this Bill as at present drafted. By this measure the landlord was to be indemnified by the person who had the right to kill the game. Where the right to kill was vested solely in the King would the landlord get any redress? He wished to point out one further matter. The Solicitor-General had said that after all they were not dealing with a very substantial matter as this was not a grievance likely to arise. Precisely the same grievance would arise where there were more pheasants. In the case of an owner who had land adjoining Crown lands, whose tenant had his crops damaged by game coming from Crown lands, that tenant would have the right to sue his landlord, but the point was whether that landlord would have a right to recover from the Crown. This was a case that ought to be met somehow, and he thought it was met by the Amendment of his hon. friend. He pressed the Government to accept the Amendment, which was clearly reasonable.

MR. A. J. BALFOUR said he was not sure that there was a question, if not of order, at all events of Parliamentary propriety involved. His recollection was that no clause relating to the Crown could be introduced without the leave of the Crown. No such message had been received in the present case. At any-rate he recognised that the Solicitor-General had had thrown at his head a series of problems dealing with an obscure branch of the law, and with matters of very great importance, though not perhaps of wide extent. The Solicitor-General could hardly perhaps be expected to be armed cap-à-pie for the purpose of meeting all these problems, and dealing with an Amendment which was no more that of the Government than was the rest of the Bill. He felt the difficulty of asking a Government who were themselves in Cimmerian darkness to give the House guidance as to the proper way of dealing with this subject on the present occasion. He could only suggest that the Bill should be recommitted on the Third Reading for the purpose of dealing with this problem, or that the Government should introduce Amendments in another place. He thought it better that the House should not divide on this occasion. He did not think that the clause was in accordance with Parliamentary practice.

MR. AUSTEN CHAMBERLAIN asked leave to withdraw his Amendment, and expressed the hope that when the Third Reading was reached the Solicitor-General would be prepared to make a statement early in the day as to the position and as to the course which the Government intended to take.

Amendment, by leave, withdrawn.

SIR EDWARD STRACHEY, in moving the omission of Clause 3, was understood to say that it was quite clear that snaring and trapping were the best means of destroying rabbits, and if the House did not desire to encourage the preservation of rabbits, this particular clause was quite unnecessary, because the tenant at the present time had all the advantages he required. It had been anticipated that the result of the Ground Game Act would be the total destruction of hares and rabbits, but in the part of the country he knew best the result had rather been to encourage the preservation of rabbits, because the keepers and the tenants had combined to protect them, and he knew a case where the landlord had been asked not to shoot the rabbits because the farmer was going to have a shooting party of his own. He did not think the good tenant deserved to have extra sporting rights as regarded rabbits, and all the tenants wanted was protection against damage done by winged game. It was not in his opinion desirable that any good land should be farmed as a game preserve unless the landlord chose to keep it in his own hands. Tenants should be encouraged to destroy rather than preserve rabbits on their farms. Rabbits bred very rapidly, and were very difficult to keep down, and they went off into other people's land doing damage. The same thing applied to hares. For these reasons the Government had decided to adopt the course he now proposed.

Amendment proposed—

"To leave out Clause 3."—(*Sir E. Strachey.*)

Question proposed, "That the word 'from' stand part of the Bill."

MR LANE-FOX (Yorkshire, W.R., Barkston Ash) congratulated the hon. Baronet on his conversion to the views which were strongly urged upon him when the Bill was before the Committee.

SIR EDWARD STRACHEY: May I remind the hon. Gentleman that I voted against the clause in the Committee.

MR. LANE-FOX said he entirely accepted the hon. Gentleman's reminder. The Committee spent three whole days on this clause, and those who opposed it were subjected to very caustic criticism. He congratulated the hon. Baronet and the Government on having come to an absolutely sensible view on the question. The giving of extra facilities for shooting rabbits was not the way to promote good husbandry.

Question put, and negatived.

Clause 3, left out accordingly.

SIR FREDERICK BANBURY moved the omission of Clause 4 which, to his mind, was one of the worst clauses in one of the worst Bills he had ever seen introduced. It was absolutely contradictory and the only effect of it would be to give employment to lawyers. The first part said—

> "Notwithstanding the provisions of any contract of tenancy or agreement respecting the mode of cultivation, cropping or disposal of produce (other than an agreement or contract not to break up permanent pasture, or not to grub underwoods, or not to fell, cut, lop, or injure trees), or imposing any penalty, forfeiture, or liability in respect of the same, a tenant shall have full right to cultivate, crop, or dispose of the produce of his holding without incurring any such penalty, forfeiture, or liability, provided he shall have made adequate provision to protect the holding from injury or deterioration."

Then it went on to say—

> "If the tenant exercises his rights under this section in such a manner as to injure or deteriorate the holding, or to be likely to injure or deteriorate the holding, the landlord shall be entitled to recover damages in respect of such injury or deterioration, or, as the case may require, to obtain an injunction restraining the exercise of the rights under this section in that manner, and the amount of such damages may, in default of agreement, be determined by arbitration."

The first part of the clause said that a tenant might do what he liked, and the second part said that he might do nothing of the sort, and that if he damaged the holding, legal proceedings might be taken by the landlord. It seemed to him that the clause had been introduced owing to the apparently very prevalent misconception on the other side of the House as to the mode of dealing between landlord and tenant in England. Hon. Members seemed to have the idea that the only object of a landlord in letting a farm was to impose such onerous conditions that no good tenant could possibly ever take it. They seemed also to have the idea that there were so many people running after a farm that the tenant was obliged *nolens volens* to take it, although he knew perfectly well that the conditions were impossible. That was absolutely untrue. The landlord was only too anxious to get a good tenant and to give him all freedom in cultivating the land, always provided, according to the concluding words of the first portion of the clause, he would make "adequate provision to protect the holding from injury or deterioration." But the landlord said that a custom of the country had grown up out of experience as to the best manner of cultivation, and he put in the lease or agreement that a certain rotation of crops should be observed. He did that not because he wished to make himself disagreeable to the tenant, but because he wanted to see that adequate provision was made for protecting the holding from injury or deterioration. It might be argued that the tenant would pay no attention to this clause, but would find out the ordinary mode of procedure in in the country and cultivate the land according to that manner. But it should be remembered that all farmers were not good farmers, and that it was quite possible a farmer might take a farm with the purpose beforehand of getting as much as he could out of it, irrespective of the ordinary method of cultivation, and at the end of the term leaving the farm. The landlord would have the remedy provided for in Section 2, but he had shown that that was a remedy which meant legal proceedings.

Attention called to the fact that forty Members were not present. House counted, and forty Members being found present,

SIR FREDERICK BANBURY said that subsection (2) of the clause, which he presumed was intended to be a protection for the landlord, would necessitate so many legal proceedings that practically it would be no protection to anyone. If the tenant who ruined the holding should be a man without much money, or if he became bankrupt, the protection given by the clause would be valueless. There was another very great objection to the first part of the clause. It read very well, but there was at present no objection on the part of the landlord to the tenant selling straw off the holding provided he brought in artificial manure to compensate for what he sold off the land. It could not be said that the tenant suffered under the existing mode of proceeding. In regard to the question of cropping, it should be remembered that the majority of farms were cultivated on the four courses system. The hon. Baronet opposite knew very well that if they got out of the four courses system it was very difficult to get back into the rotation. If a farmer disregarded the ordinary rules of husbandry in the neighbourhood, and farmed on what would be the most advantageous system for himself, and afterwards became bankrupt, the landlord would have to take the farm into his own possession, and practically he would have no remedy as against the tenant. It would take three or four years before he could get the farm into a proper state of cultivation, and during that period he would be farming at a dead loss. They had heard about this being a Bill to provide more food for the people, but in his opinion its effect would be to promote bad husbandry. The good farmer did not want the clause, and on the other hand the clause would make it possible for the bad farmers absolutely to ruin the land and leave it on the hands of the landlord As to subsection 2, how was the landlord to know all those things so as to be entitled to recover damages or to obtain an injunction restraining the exercise of the rights under the subsection, unless he or his agent was continually walking over the farm and seeing what the tenant was doing? That would introduce a bad system, and was certain to make bad blood and cause friction between landlord and tenant. He supposed that it would be stated this subsection had been introduced for the protection of the rights of the landlord; but he thought it was not a question of the rights of the landlord, but a question ensuring that the land was properly cultivated. He was certain that the clause would encourage litigation and result in a rich harvest for the lawyers and the valuers. He sincerely hoped that the

Government, having dropped Clause 3, which was not so important as this, because Clause 4 dealt with the whole system of husbandry all over the kingdom, would drop this also. The clause would revolutionise our whole system of husbandry, under which he maintained that the land of England produced more food per acre than the land of any other country in the world, with the possible exception of Belgium. He was sorry to see that those hon. Gentlemen of the Ministerial Party who were supposed to be the friends of the tenant were conspicuous by their absence when this important clause was being discussed; but their anxiety for the welfare of the tenant did not outrun their anxiety for their dinner. It was they on the Opposition side of the House who were willing to make sacrifices—even the sacrifice of their dinner—in the interest of the tenant. If this country was better cultivated than any other in the world under the present system of husbandry, why should a Bill be introduced which would upset that good state of things? He had shown that there was no necessity for this clause, because landlords and tenants could get on very well by themselves. They could make their own arrangements, settle their own differences in all parts of England, and remain free and independent on both sides. The hon. Baronet knew that perfectly well; and if it had not been for the landlords during the run of bad seasons the farms would not have been in the good state they were now in. This clause would be of no use to anyone; it would encourage litigation, and bad farming, and go far to injure the reputation, already much damaged, of hon. Gentlemen on the Government benches. He moved that it be left out of the Bill.

*MR. COURTHOPE (Sussex, Rye), in seconding the Amendment, said he wished to add a few words to what his hon. friend had said, and to urge the Government to take this clause out of the Bill as they had taken out Clause 3. What was it wanted for, and what would be its result? The present restrictions upon freedom of cropping in some counties were not very severe, but they were restrictions which the experience of many generations had found necessary in order to secure holdings from injury in the event of a farm getting into the hands of an unscrupulous farmer, and this clause proposed to do away with them. Supposing the clause was passed and there was freedom of cropping, providing the tenant made adequate provision to protect the holding from injury or deterioration, how on earth was an arbitrator—a valuer—coming on to a farm in October to judge whether due provision had been made to protect the holding from injury or deterioration? He could not do it. He would take a case as an illustration. Supposing there was a tenant farmer holding land in Sussex, say on a yearly agreement, and that this Bill passed. The farmer would think how he could get the most out of certain parts of his farm and the most out of the benefit the clause conferred upon him. He would know that over a good deal of the farm, which was at present under a four years' course of cropping, it would be the proper time to have a white straw crop in three years time, according to the rotation. He would have two years white straw crops, and then give notice and grow a third white straw crop. Anyone who had practical experience of farming knew that the land would be ruined for many years, although apparently it might be a proper course of cropping according to the custom of the country or according to the covenants of the lease under which the tenant held the farm. Notwithstanding that the land would be thus ruined, this clause deliberately set up the power to do it. It was said to be a Bill to protect a good landlord against a bad tenant and a good tenant against a bad landlord, but it was exactly the opposite. This clause deliberately gave a bad tenant the power to rack out the land he held, knowing perfectly well that the arbitrator, coming in in October, could not possibly tell what he had been doing to the land and whether he had made adequate provision against injury or deterioration. The landlord could do nothing to take advantage of the illusory protection held out to him under subsection (2) of the clause. He hoped the hon. Baronet in charge of the Bill would think of these facts and of the confusion, litigation, and loss it would cause. He knew from his practical experience well enough what the meaning of this clause was, and he implored him to think well before he placed it upon the Statute Book.

Amendment proposed to the Bill—

"In page 2, line 30, to leave out Clause 4."—(*Sir Frederick Banbury.*)

Question proposed, "That the word 'Notwithstanding' stand part of the Bill."

SIR EDWARD STRACHEY admitted that he attached importance to the clause, but he could not agree with the hon. Baronet opposite that it was so very dangerous. It was meant to extend the Act of 1900. Under that Act a tenant farmer could crop his land in any way he liked, notwithstanding any penal provisions in his agreement or contract of tenancy not to do so, provided he made certain restitution to the land before quitting his holding.

MR. WALTER LONG asked where was that in the Act of 1900? (MINISTERIAL cries of "Order.") The hon. Baronet had stated definitely that this clause in the Bill was merely meant to extend the Act of 1900. Would the hon. Baronet quote the words in that Act which said that a tenant had the right of free cropping provided he made restitution to the land in the way of manures?

SIR EDWARD STRACHEY said that his contention was that the penal provisions in the contract of tenancy frequently prevented good farming and the tenant from working his farm to the best advantage; and the Act of 1900 provided that the compensation to be recovered by the landlord from the tenant was limited to the amount of damage done. By this Bill if the tenant exercised the right of free cropping in such a manner as to injure or deteriorate the holding, or did not bring it back to a proper condition, the landlord would be entitled to recover damages, the amount to be determined by arbitration. The hon. Baronet opposite had said the clause would produce bad blood between landlord and tenant, and that the landlord or his agent would have to be continually walking over the farm to see what the tenant was doing. From his own personal experience he could say that the tenant would be only too glad to see the landlord often on his farm, because the landlord would then observe for himself what was required in the way of fences and buildings, etc. He could not admit that encouragement to landlords to take more interest in the cultivation of their land would be likely to lead to bad feeling. A tenant would have to farm under the conditions of his tenancy subject to the clause, but to meet objections that had been raised the Government would be prepared to accept an Amendment in the nature of that of which the hon. member for South-East Durham had given notice, to limit the right of cropping to arable land, and restricting the tenant in dealing with pasture land to the terms of his agreement. It might be quite right to restrict the right of mowing. Some drafting amendment of the terms of the Amendment would be necessary, but in the effect it would simplify the clause and leave the right to dispose of produce with the liability to bring back manure value to the land.

COLONEL LOCKWOOD said he had not up to that time seen any desire on the part of the Government to make those concessions which the hon. Baronet in charge of the Bill said that they desired to make. On the contrary, they had been very stiff-backed over and had resisted many Amendments, not only those proposed on the Opposition side of the House, but many which hon. Members on their own side considered reasonable. The hon. Baronet had announced a concession of a sort, but he was not prepared to say that it would altogether meet their objections. There was one concession which the hon. Baronet mentioned, and that was with regard to mowing twice, to which he took exception. He mentioned the point because for the purpose of experiment he himself mowed a meadow twice to prove that it was deleterious, and he was successful in showing that that was so. Hon. Members were mistaken when they thought that they upon that side of the House were opposed to any measure which would conduce to the well-being of the tenants at large. If hon. Members would look back and see how landlords had met their tenants in the past such a charge would be refuted. When he remembered the prices charged for land thirty years ago, and saw the reductions which had been made all round to the tenants, he asked himself was it fair that they on that side of the House should be put forward as being opposed to measures which were favourable to the tenants? The ground of their opposition to this clause was that it gave the minimum of comfort and advantage to the tenant, combined with the maximum of discomfort and disadvantage to the landlord. It was for that reason that they were determined to oppose it. Under this clause the Government were interfering with every contract which the landlords made with their tenants. They were upsetting the customs of the country which in the past had proved to be beneficial to the land, the landlords, and the tenants generally, and they were introducing a form of dual ownership, which if it was right should be boldly brought forward and enforced by taking the land from the landlords. It was not a question of custom, it was a question of price. The permission to grow anything they liked would never do any good to the tenant farmers at large until they could get a proper price for their produce. On one of the few days lately when his duties at the House had permitted him to go hunting, he met a tenant farmer and asked him what advantage he would gain by this Bill. The farmer did not think he would gain much, but he complained that his landlord insisted upon having his rent on the very day that it was due, and said he ought to pay interest if he was twenty-four hours late. He inquired the name of the landlord, and it appeared that he was a distinguished opponent of his, so that there were bad landlords on the other side of the House. As a rule, however, he quite believed that the landlords both on that and the other side were good landlords, but they wished to protect the good tenant against the bad landlord. So long as landlords had rights, however, they should maintain them. Hon. Members seemed to forget that there were bad tenants as well as bad landlords, and under this clause every inducement was given to the bad tenant to extract from the landlord all the compensation possible, and then get it over again. The Government said they were going to restrain the bad landlord by legal methods, and it meant that they would be brought down to deal with their tenants by nothing else than legal methods, and they would have to act upon nothing except that which was written down by lawyers. No regard was apparently to be paid to the good feeling which at present existed between landlord and tenant. The object of the four years course system had been met, he was glad to say, by the hon. Baronet. The object of the four years course was to prevent the landlord being put, as he might be, to great expense to ensure the continued fertility of the soil, by a tenant's not farming fairly. Clauses 4 and 5, unless they were severely altered by Amendments, constituted practically a dual system, under which the landlord would no longer be allowed to judge what was the best way of farming his land, and at the end of the tenancy he was to be mulcted in heavy damages. He might be told his land was suitable, from its proximity with London, for fruit farming. He knew it was not. This clause would give the tenant a right to grow such crops as he liked, to dispose of the produce as he liked, and at the end the landlord would have to pay heavy compensation when the tenant gave up the farm. He was a small owner himself, and it was out of his power to go round his fields to see how his tenants cropped them. He was kept at the House. He had been able to do so in the past, and now he was told that under this Bill he would only have an expensive legal remedy. What he wanted to know was how was he to find out under this Bill whether his tenant was carrying out a system of husbandry which was fair and right and suitable to the land? If what he was told was true, he was to have no opportunity of seeing that either this year or next. Clause 4 was one of the most unfair clauses of the whole of this unfair Bill. Even if it was amended in the way suggested by the hon. Baronet, the Bill would be manifestly unfair to the landlord without doing any permanent good to the tenant.

MR. SUMMERBELL (Sunderland) said he was somewhat surprised at the further concessions that had been made by the Government in Clause 4, after Clause 3 had been taken out of the Bill. If they were going to have two or three all-night sittings to finish this Bill they ought to see that the Government did not concede too much. The hon. Gentleman who moved to strike out Clause 4 got to the crux of the question when he said it was a question as to whether or not the land was properly cultivated. The discussions of the last few days had related to the question of the cultivation of "game" rather than the cultivation of the food of the people. The hon. Member for the City of London had said that this country could produce as much from the land as any country in Europe, except Belgium. That was quite correct; Belgium produced twenty-eight bushels, France twenty-one and this country twenty-seven to the acre. Hon. Gentlemen had referred to the cultivation of the soil of this country, and in that he hoped they would show they were sincere, and talk more about the cultivation of grain and less of the cultivation of game. Complaint had been made of the fact that some hon. Members had been absent from this debate whilst others had been asleep. Candidly speaking, the talk that had been indulged in on this particular Bill had rendered it very difficult for hon. Members to remain in the House, or for those who did remain to keep awake. It had been said the tenant farmers could take care of themselves, but so far as his knowledge went, they wanted more representation in this House than they had.

MR. DEPUTY-SPEAKER said the hon. Member must confine himself to the Amendment before the House.

MR. SUMMERBELL said he only wished to appeal to hon. Gentlemen to consider the tenant farmer a little more and the landlord a little less in this Bill. He hoped the Government would not concede too much, but that they would adhere to Clause 4, and get as strong an Act as they could in the interest of the tenant farmer, who wanted so much protection.

COLONEL KENYON-SLANEY said that both his interest and inclination was to accept the Amendment of his hon. friend the Member for South-East Durham, but he would like to hear how far that Amendment would meet the objections to the clause. He had been wondering whether the hon. Baronet the Member for South Somerset could really mean what he said about the Act of 1900. The hon. Baronet must either have had bad information, or forgotten what the provisions of the Act were. The hon. Baronet had also said he would be prepared to move such an Amendment if it was the general feeling of the House. He himself would rather a stronger lead had been given to the House and that the hon. Baronet had said he would move the Amendment if it was in the interest of the Bill and of the community. If it was a good Amendment let it be proposed, but not because it was merely popular. This clause required careful consideration from the point of view of everyone. It was perfectly true that as a broad principle the interests of a good tenant and these of a good landlord were identical. They must assume that the interest of the landlord was chiefly concerned with the continued fertility of the soil, which was his permanent possession. But it must be realised that there came times when a conflict arose between the tenant and the landlord, and the tenant decided to leave the farm. Two years before he left it would become his selfish aim not to continue to fertilize the soil, but to get the most he could out of it. The whole of the present system, which in the contracts of tenancy limited the powers of the tenant as the user of the soil, was entirely directed to the continued fertility of the soil, and to protect it from the abuse of a tenant who wished to get the most he could out of it before he left. Those who treated the landlord fairly must always recognise that these prohibitive clauses were not put in to hinder the progress of good, scientific farming, but in order to protect the land against the mischief that could be done by an unfair farmer when leaving the land. He would like hon. Members to realise what the basis had been for all these arrangements that people called prohibitive. It was to apply to the cultivation of land to-day all the accumulated experience of the best owners and best cultivators as years went by. This country had been farmed, and well farmed, for a long time. Each county demanded something different in the treatment of the soil, and in the mode of its cultivation, and there had sprung up on all sides what was called "the custom of the country," by which the country was enabled to produce the most under the best conditions. One of the points which he wanted to safeguard, and one which he thought was mainly imperilled by this clause, was the rotation of crops. If hon. Members read one of these limiting agreements, they would find that its main object was to ensure a certain rotation of crops and the continued fertility of the soil. These customs had not grown up only in England; we had some experience drawn from America. In Dakota the constant growing of one crop had considerably reduced the fertility of the soil, and the yield had been reduced to about fifteen bushels per acre. Curiously enough, that fifteen bushels to the acre had been the result of thirty years growth of the same crop, and unless they wanted the land to deteriorate considerably they must limit and prohibit any system under which there was continuous user of land for the growing of the same crop. In the State of New York he was told—and he believed it was true — there were thousands of farms derelict because of the want of system in cultivation. Experience showed that it was only by the rotation of crops that it was possible to keep up production. No landlords who studied the question would deny that there might be an advance made in the system of cultivation, or that they had much to learn from science in the treatment of land; but they, at all events, considerd that they should have a fair say in the matter before experiments, which might be advantageous, but which might be disastrous, were made on their land. Another danger was that if they did not maintain the system of continuous fertility they might be sacrificing the land against the incoming tenant in favour of the outgoing tenant. They ought to be very careful how they sacrificed the interests of the tenant who was going to farm for years to come for the sake of the tenant who had only a short time left of his tenancy. So long as freedom of cropping had a bad effect on the land it would be necessary that the owner should exercise a much increased surveillance, and keep a much more jealous eye on his tenants. Naturally, the tenants would dislike a constant system of espionage and surveillance, and it would be an unfortunate thing to set up such a relationship between landlord and tenant. It was impossible to apply a much sounder principle for the cultivation of the soil in any particular district than the consensus of opinion of farmers both of to-day and of preceding generations, to the general lines of cultivation which were best for the land. Would it not almost of necessity close the landlord's pocket if they removed his right to have any voice in the cultivation of his own land? He could conceive nothing more pernicious in regard to the fertility of the soil, the interests of the tenants, and the employment of more labour, than to limit and retard the active interest of the landlord in the development of his own land. Although he did not pledge himself to oppose this clause altogether, and although he fully recognised that there should not be a hide-bound system in regard to cropping, he did say there was no real grievance on the point. He begged hon. Members not to run away with the idea that by going against the view he had expressed they were thereby going to set free farmers of greater intelligence and farming capacity to make a better use of the land than hitherto. The landlords were their best friends now. The system proposed by the Government was bad for the tenant, bad for the owner, bad for the continuous fertility of the soil, and bad for those who got their livelihood by working on farms. Speaking broadly, that which was best for the landlord in these days was best for the tenant, and for all connected with the land.

MR. URE said no one would challenge the moderation with which the right hon. Gentleman who had just sat down had discussed this question. He would also willingly bear testimony to the extreme fairness and moderation with which the right hon. Member for South Dublin and those who acted with him presented the case on behalf of the landlords in Grand Committee; so far as he could judge their desire seemed to be to advance the interests of agriculture generally. There appeared to have been two questions raised in this discussion. The first was whether the clause would be advantageous to agriculture in this country, and the second was whether it made a revolutionary and startling change in the law. As to the first question he was not competent to offer an opinion that would be of any use, but he found that on the 15th June last the Scottish Chamber of Agriculture carefully discussed all the clauses of this Bill.

A gentleman who he supposed would be a farmer, in giving his view of Clause 4, said—

> "We have here a clause framed in the interests of intelligent agriculturists. We are living in the twentieth century, and it is high time we got rid of all those cast-iron provisions that lawyers have copied out of musty documents hundreds of years old. The intelligent man in the future is to be advised to use his brains, and is not to be tied down to a number of 'thou shalt nots'; but he is to use his land and cultivate his land as he thinks best, to sell his produce in the market to the best advantage, and what is good for the tenant cannot in the long run be bad for the landlord."

He (Mr. Ure) adopted most of the quotation as his own. After all, the landlord had the choice of tenants, and it was not likely that he would deliberately let a farm to a person who would deteriorate the soil. But some hon. Gentlemen seemed to forget that this clause made provision for bad tenants. The Bill expressly provided that if the tenant did anything to injure or deteriorate his holding, the landlord should be entitled to step in and stop him, if there was time to do so, and if not to obtain damages. The right hon. Member for Newport had said that the clause would lead to a system of espionage on the part of the landlord against his tenant. He, however, did not think so, because agricultural operations were not executed in a hurry, and good landlords of the present moment were able easily to see what was going on on the farm and to stop at any time anything they thought might injure the soil. The landlord under this Bill was entitled to an injunction in order to prevent the tenant from doing any injury to the soil, but if the landlord were an absentee, and his agent neglected his duty, so that the mischief was done before it could be stopped, then the landlord could make a claim for the injury done to the soil. More than that, the clause expressly provided that freedom of cropping should not be exercised in the last year of the tenancy, and it had always been the law that if the tenant did anything to deteriorate the cropping the landlord was not entitled to damages if the tenant were able to show that before the expiration of his tenancy he could put the land into as good condition as before. There were three adequate safeguards to protect the rights of the landlord—first, against damage being done; secondly, compensation for damage actually done; and thirdly, the right he had just mentioned. He now came to a region with which he was more familiar, namely, whether or no the Bill made a revolutionary and startling change in the law Even if it did it would not be a very fatal objection to it. But was it so? His hon. friend in charge of the Bill had said that sanction had been given to this change by a Unionist Government in the Act of 1900. There was no clause in that Act giving freedom of cropping, but a very distinguished agricultural lawyer, the Secretary of the Scottish Chamber of Agriculture, by piecing three clauses together, held that they had that effect. One clause gave the right to lay down temporary pasture without asking leave, and to claim compensation at the end of the tenancy in respect of it; another declared that, if in any contract of tenancy it was provided that the tenant should pay damages to his landlord for having violated the conditions of the lease and the damages were fixed by the lease, the landlord was to prove the amount of damage he had actually suffered; and a third, the 36th Section of the Act of 1883, which had to be read with the Act of 1900, provided that any agreement by which a tenant deprived himself of his right to claim compensation for improvements santioned by the Act should be void. By piecing these three enactments together Scottish agriculturists and lawyers held that the result was freedom of cropping under the Act of 1900. He admitted that there was no clause in the Act of 1900 which expressly provided that tenants were at the present moment free to crop as they pleased. If the tenant violated the rules of good husbandry the remedies he had indicated were open to the landlord. He thought he had made clear that Scottish tenants had at heart the interests of their landlords just as much as Scottish landlords had at heart the interests of their tenants, and that they were under the impression that to allow freedom of cropping would not be detrimental to the interests of agriculture. Speaking now in the presence of some Scottish Members who were landlords, he thought he might say without fear of contradiction that at the present moment there was no good landlord in Scotland who did not give perfect freedom of cropping, and that no harm had come to his land in consequence.

He admitted the far-reaching importance of the clause now under the consideration of the House. He thought hon. Gentlemen, if they reflected a little, would see that it did not involve the large, startling, and revolutionary change in the law which the right hon. Gentleman opposite would have the House believe.

MR. WALTER LONG acknowledged the ability of the hon. and learned Gentleman's speeches and the courteous, fair, and kindly manner in which he crossed swords in these discussions, refraining from the insinuations made by others in the debate that the Opposition discussed this question solely from the landlord's point of view. He respectfully differed, however, from the hon. and learned Gentleman when he alleged that the justification of Clause 4 could be founded, not on any evidence of manifest injustice suffered by farmers or on any proved case of hardship, but on the passing of the Act of 1900, which, it was alleged, had already established freedom of cropping. If this was the case, why was it necessary to introduce this clause, which he regarded as one of the most contentious, unnecessary, and mischievous clauses in the Bill? The hon. and learned Gentleman had quoted the opinion of the Secretary of the Scottish Chamber of Agriculture and adopted it as his own. He founded his opinion of the effect of the Act of 1900 on its provisions as to temporary pasture. The power to lay down temporary pasture meant the application to the land by the farmer of the four-course or the six-course system, according to the local circumstances; but to ask the House to accept that as a sanction of the freedom of cropping was absurd. There was no justification for saying that freedom of cropping was conferred by the Act of 1900. Much that had been said about the clause giving freedom to the good tenant was humbug. What was wanted he understood perfectly well and agreed with it. What was wanted was that there should be no unjust limitation placed on the intelligence and development of his industry by the farmer. If the Government were going to justify this clause they must prove that the present agricultural system limited the intelligence of the British farmer. Could anybody show him that the productive power of England was not greater than that of any other country in the world, except that of Belgium? Nobody had made any suggestion of the kind, or that the productive power of England would be made greater by this proposal. It was said by the supporters of the clause that they wanted to enable a good farmer to make the best possible use of the land at his disposal. But what was ignored was that the land must be looked at, not from the view of the landlord and tenant of to-day, but from the point of view of succeeding generations; not from the view of owners and occupiers, but from the view of the general community, so that the land should be a real asset in the wealth of the nation. Were they doing that by this clause? Not a single case had been produced to show that existing agreements hampered tenants and occupiers or prevented them working the land to the best advantage. There had been talk of good tenants who were held in check by bad landlords; but nothing had been said of cases where in times of agricultural depression, so much heavier, he was happy to say, than it was at present, farms had been taken by men with the deliberate intention of experimenting upon them. Did hon. Gentlemen opposite mean by Clause 4 to enable a tenant to use such skill and capital as he might possess in order to experiment on the land? Unless they could answer that question they had no right to ask for the passage of Clause 4. He maintained that under the law as it at present stood dealing with agricultural improvements, the good tenant farmer could get back every penny he put into the land in the shape of feeding, manuring, or general cultivation. Were they going to give him something else? If so, let them say distinctly to the House what that something was. Was it proposed that the landlord should bring in his fixed capital of the land and of the equipment of the farms, and that the tenant farmer, who could go away to-morrow anywhere, should bring in his moveable capital in the form of cultivation and stock, and have the right to experiment on the land at no risk to himself, but at the sole risk of the landlord? If that was the change proposed it was no exaggeration to call it a revolution; and some better reason ought to be given for this extraordinary change in the land laws of the country. The hon. Gentlemen below the gangway had said that this was a safeguard with regard to experiments in agriculture, and the House was asked to view that as a practical proposal! What did it mean? They might have land vacant for a time during agricultural depression, when there was a difficulty in some parts of the country in letting it. He was happy to say that he had had no difficulty in always getting tenants for his land. Men came from every part of the country and offered to take land in his district. Let it be supposed, however, that they were willing to rent the farm, but that they thought the system of cultivation pursued there was altogether wrong, that they desired to cultivate the farm on a totally different system, and that they occupied the land for three years In the first year everything seemed flourishing; in the second year things were not so good; and in the third year everything was bad. The hon. Gentleman had said that that had been provided for by the clause, because the man who had deteriorated the land had to pay compensation to the landlord. But what was the value of a right to compensation to the landlord from the tenant under these circumstances? On the principle of *ex nihilo nihil fit*, compensation of that character had no value at all. The man who had ruined the land was not likely to have much money left to pay compensation with. They must frankly do one of two things—either leave the law as it now stood, under which the landlord had to exercise his own control and discretion over the user of the land, or say that the landlord should have merely a nominal right in the soil, and that the tenant should have a right to experiment with it as he liked and run no risk. If the Government believed that, let them lay it down practically, but not come with soft phrases and ask Parliament to accept such a change. If the Government did that, acknowledging frankly that they were proposing a real change in the land laws of the country, then the House would know where they stood. He regarded Clause 4 as the most mischievous Clause in the whole of this bad Bill. He had never concealed his view on the subject. He had had the practical management of land for thirty years, and he only asked that the same principles of management which prevailed in his part of the country should be followed generally, and he was sure that few evil results would follow. Twenty years ago there was a great alteration in the system of cultivation of land in the country. A large number of farmers adopted the plan of putting down a considerable part of the land in grass; but they did not realise that the successful application of that principle would depend entirely on the soil of the district. If the Government meant that the tenant farmer should be able to make experiments at the expense of the landlord, let them say so. If their object was to secure a good tenant in the occupation of his holding, so that he might be able to do the best for himself, his landlord, and those who came after them, then this clause was not wanted. The hon. Gentleman in charge of the Bill had said that he would be prepared to accept the Amendment standing in the name of his hon. friend the Member for South East Durham. He was very glad to hear that. For his part he hoped to have the opportunity of voting that this clause was bad and mischievous; but he did not suppose that in the existing condition of the House that would have any effect; and therefore he would have to consider the question, not of the ultimate rejection of the clause by the House, but of the acceptance of the clause on the Paper. He would like to have heard the hon Baronet take that matter up and deal with it and other questions with some courage. Why did he talk about "the general opinion of the House"? A Government with so large a majority ought to have its own decided opinion. Either the hon. Baronet thought the Amendment would improve his Bill, or he did not. On the Opposition side, they thought the Amendment would make a bad Bill a little less bad, and if the clause were not rejected he should be glad to see the Amendment of his hon. friend incorporated in it. He must not, however, be taken as implying that it would in any way lessen his objection to the vicious principle which the clause contained, but if the House was determined to pass a clause of this kind, then the Amendment would make it a little less objectionable.

*MR. MUNRO FERGUSON (Leith Burghs) said they had had two very excellent speeches for and against this proposal, but there was not so much involved in the Amendment as in the acceptance or the rejection of the clause. Upon the whole he thought it would be of advantage to agriculture to have freedom of cropping, although he knew there was a great deal to be said against it, and that in some cases great injury would be done to the land under that system. He thought, however, that by means of it the interests of agriculture as a whole would be preserved. In many instances he thought the tenant farmers knew how to work the land better than the proprietors or their agents. He was not quite so sanguine as the Solicitor-General for Scotland in regard to the alteration of systems at one year's notice, but he would willingly risk any evil results from the process of free cropping in order to secure initaitive. He thought that the system on which a farm was to be worked was a good deal determined by the equipment of the buildings on the farm, and if they left the owner with the right to determine exactly what the equipment should be, they left to the owner the determination of the use to which the farm might be put. He was willing to maintain that for the sake of avoiding duality of ownership, the owner should have the right to determine the equipment of the holding, but by giving him that right they, gave him very large power as to the use to which the land should be put. He regarded the clause, improved as it had been, as a very important one. He did not regard it as revolutionary, but as evolutionary—we had been coming to it for a long time.

Mr. LANE-FOX said that many hon. Members would agree with the last speaker in regard to freedom of cropping if the clause contained the necessary safeguards. In a great many cases the covenants as to cropping were not enforced at all, and where tenants were to be trusted, and in his part of the world they were to be trusted, they were unnecessary. Still there must be cases in which tenants could not be trusted. He challenged hon. Members to instance a single case of injustice where good husbandry had been shown. There was not a single case which could be quoted as justifying the sweeping provisions of this clause. In the absence of such allegations there was no genuine case for relief. One serious drawback to the clause was the remedy given to the landlord for bad husbandry by his tenants. It was by injunction, an extremely lengthy and tedious process. The whole essence of dealing with a man who was deteriorating his holding was to deal quickly; otherwise he would do irretrievable injury. There was no adequate provision for retaining in or returning to the soil manurial value. There were certain words in the Bill which he hoped would be explained before the discussion terminated; they were absolutely unsatisfactory, and, as they stood, were of no use for the maintenance of good husbandry. When once the mischief was done they had to do their best to remedy it. The clause provided half-hearted remedies which were of no value because of the inherent disadvantage of not being able to deal with the matter at once. The present system gave the landlord a chance to deal with his tenant at once and stop him before he had gone too far. The farmers in the North of England at any rate were perfectly well able to take care of themselves and had no objection to the present law. In Yorkshire he believed they were prepared to stand by the present system, and so far as that part of the country was concerned he believed there had not been any injustice or any deterioration of the soil. He did not believe there was any justification for the statement that the land was by the present system prevented from yielding the best result possible. Were we to part from the present system which had worked exceedingly well in order to adopt a system the result of which we could not know? Was it not safer to retain the system which we had rather than fly to a system of which we had had no experience?

Mr. SEDDON (Lancashire, Newton) said his chief reason for intervening in the debate were the observations that had been made by the right hon. Member for South Dublin. When this Bill was before the House last year he himself made a few strong remarks, and he had.

been told in letters from various farmers that those statements were absolutely true. The farmer was often the victim of his landlord either for political or other reasons. The right hon. Gentleman the Member for South Dublin had said he would not be afraid to present his case before any company of tenant farmers. That was true because the company in which he would be when he met the tenant farmers was such that the farmers would be afraid to express their views. The speech of the right hon. Member for the Newport Division of Shropshire was seductive and persuasive and would lead the House to believe that the tenant farmers in this country had landlords who would look, and who had at all times looked, after the farmer where there was identity of interest between the landlord and the farmer. Where there was this identity of interest this Bill would not come into operation. The fourth clause was to protect and to widen the scope of the operations of the tenant. The right hon. Member had said that at the present time the relationship between the landlord and the tenant tended to apply the accumulated experience of the past to the cultivation of the land leased to the tenant. But while that might be so, there had been occasions where the landlord for sporting or other purposes had inflicted injustice on the tenant, and he took it that the laws passed by Parliament were always for the protection of men suffering from injustice. He would like to join in the appeal to the hon. Baronet in charge of the Bill to stiffen his back. He did so because his circumstances in life brought him in contact more with the tenant farmer than with the landlord. He did not say that every landlord was a villain or that every tenant was a saint, but experience had proved that the landlord could look after himself. He begged the hon. Baronet to remember that the tenant had his living and his position to look after. The landlord could always look after his property. They could give the landlord the credit of always being able to look after his interests in this House. On this occasion they wanted the tenant farmer to be looked after, and they hoped that the hon. Baronet in charge of the Bill would not accept without due consideration Amendments coming from the landlords.

MR. J. F. MASON (Windsor) said he did not rise owing to any hostility to the principle of this clause, because he believed that if agriculture was to advance considerable elasticity was needed in the methods by which it was conducted. Personally he had never enforced the cropping clause in his own agreements, but he regarded it as a very valuable safeguard against a tenant who might farm the land in a detrimental manner. It was but a poor consolation for the taking away of this safeguard to be able to recover damages, which at the best might be a very doubtful process, after the land had been deteriorated. What was wanted was to prevent bad farming and not to raise the necessity for litigation. If that were the Government's desire he trusted that they would see a way of introducing words more satisfactory than the clause now contained as a safeguard against damage to holdings.

MR. STARKEY (Nottinghamshire, Newark) thought the tenant would be probably better off under an agreement than under this clause. The object of any agreement was to maintain the fertility of the soil at a certain standard, which could be easily attained in a particular locality, by methods which were well-known. In this country, where the land had been cultivated for many centuries, in order to maintain its fertility it was necessary continually to bring back something of that which was taken from the soil. That was the object of an agreement. It seemed that this clause aimed at the same thing, but proposed to bring it about in a totally different manner. The idea of an agreement was that the landlord and tenant by mutual arrangement satisfied one another what was best to be done. But under this clause litigation alone was to settle the matter. That was a most unsatisfactory method of procedure. It was a very arguable question as to how far a tenant had or had not deteriorated his holding. It appeared to him that this clause would only be of advantage to the bad tenant and the good lawyer. It was not to the interest of a good tenant that the land should deteriorate, and in the interests of the country as a whole it was desirable that the fertility of the soil should be maintained.

Mr. NUSSEY (Pontefract) did not think this clause ought to be called revolutionary; it was nothing of the kind. It was quite true that in some agreements there were a great many restrictions, but as a rule they were mere verbiage. Cases of hardship might arise under this clause, and whether they would be met or not by the words at the end of the clause he did not know. Nevertheless the principle of the clause was a good one, and it had his hearty support. They had heard a good deal about the capital which landlords had put into the erection of farm buildings and spent upon improvements, but it should not be overlooked that the tenants also had sunk a large amount of capital in farming operations. After all, the tenant farmers country were not mere novices; they knew how a farm ought to be farmed to the best advantage just as well as the land agent or the landowner. Therefore he thought the tenant farmers might safely be entrusted in nine cases out of ten with the cropping of their farms. They had heard a good deal about the cropping of farms in an extravagant manner, but how was it possible to stop a farmer doing this if he liked? After all, they did not pretend to legislate for exceptional cases, but for the general good. The supporters of the Government had been challenged to produce hard cases, but had any hard cases been produced by the Opposition? He hoped the Government would stick to the clause which on the whole would benefit agriculture by giving farmers greater freedom.

Sir JOHN RANDLES (Cockermouth) said it had been urged on the Ministerial side that there was a demand for this clause and that it granted certain privileges which already more or less existed. With regard to the alleged demand he could not speak either as a landlord or as a tenant, but he had had comparatively recent opportunities of ascertaining how far the tenant farmers in his constituency were interested in the Bill and in this clause in particular. He desired to say that there was not a single tenant farmer in his constituency, which was largely agricultural, who cared one straw about this particular measure. In the course of the recent electoral contest in his constituency, he did not think that one single tenant farmer either directly or indirectly asked him to support a measure of this kind. He believed there was a strong desire to retain good relations on the part of the tenants with good landlords, but at the same time there was a danger lest the operation of a clause like this should lead to the good landlords being made to pay either directly or indirectly for the experiments of reckless tenants of which nothing could prevent their being made the victims. It had been said that no one need fear a righteous law, but the tenant might have reason to fear a law which might not be righteous. He thought this clause was admirably calculated to produce friction between landlord and tenant. Very great difficulties might arise, because a large number of the landlords were under monetary obligations in regard to their land, which was often heavily mortgaged. There was a strong desire on the part of farmers to maintain good relations with their landlords, but those relations were likely to be destroyed by the espionage, litigation, and friction the clause would encourage. There was danger also that the tenants might suffer from the necessity for imposing increased rents arising from the pressure of mortgagees, who might apprehend shrinkage in the value of their land security from the operation of such a clause.

Sir EDWARD STRACHEY rose in his place, and claimed to move, "That the Question be now put," but Mr. Speaker withheld his assent, and declined then to put that Question.

Mr. WHITBREAD (Huntingdonshire, Huntingdon) regretted that some Amendment to this clause had not been placed on the Paper by the hon. Baronet in charge of the Bill, but in the absence of any Government Amendment they must content themselves with voting for such Amendments as they might find it possible to accept. He certainly hoped that before this clause passed through the Report stage it would be amended and safeguarded in several directions. The Solicitor-General for Scotland by taking two clauses from the Act of 1900, and one from the Act of 1883, had finally arrived at a position which was somewhat startling. The hon. and learned Gentleman had assured them that the stipulations in the agreements which limitedthe freedom of cropping on the part of the tenant were all moonshine, and that, as a matter of fact, the present law allowed a tenant the fullest freedom. He was not himself a lawyer, and therefore was not in a position to dispute that statement, but he knew, as hon. Members who were acquainted with agriculture in this country knew, that, subject to certain limitations, landlords were only too glad to allow tenants freedom of cropping, as far they liked, so long as they did not deteriorate or permanently alter the land from the condition it was in when they went into the farms. The tenant had practical freedom of cropping so long as his farming operations produced fertility of the soil. The objection he had to the present form of the clause was that it encouraged an adventurous, and possibly not very successful, tenant, to try experiments with the holding and permanently to change its character contrary to the terms of the agreement. Unless this clause was amended it would allow a tenant to change an arable farm into one of almost entirely permanent pasture. In this connection he might mention incidentally that it was certainly worth while for hon. Members who were enthusiastic on the subject of bringing the people back to the land to remember that the more permanent pasture there was on a farm the less demand there was for agricultural labourers. But he had a more serious objection to the freedom of cropping and the freedom to change the character of a holding. They had heard a good deal from both sides of the House of the relations between and the respective claims of landlord and tenant, but there was in all these matters another party whose interests had not up to now been very much mentioned. After all, the test of a man's farming was the condition of his holding when he left it. It was just when a tenant left a holding and the owner had to look out for a fresh tenant that the interest of the person on whose behalf he pleaded came in. He meant the incoming tenant. If a tenant was allowed "to skin a farm" as it was called—to farm it no doubt quite honestly, and with the best intentions, but to try experiments in cropping and leave it in a foul and exhausted condition, it was all very well to say that the landlord could get an injunction, or that he could sue the tenant for damages, but what landlord ever succeeded in getting or would ever attempt or hope to get adequate damages out of the tenant? What he was afraid of was that this clause might result in the character of the holding being changed, or of the soil being deteriorated to such an extent as to limit the number of possible tenants who might be able to take it. He knew an estate where the soil was of a light sort, suitable for the growing of vegetables. It was very largely farmed by vegetable farmers, who sank considerable capital in the land and employed a large number of hands to work it. On the whole they were successful. There were also upon the same estate a certain number of tenants who belonged to the older school of four-course farmers—men of limited capital, and perhaps nowadays, it might be said, restricted ideas as to cultivation. After all, they made a steady and moderate profit, and it would be a cruel and inadvisable thing if a tenant in changing the character of the holding made it such that it would be impossible for a tenant of that nature to take it. It was because he feared this clause, if unamended, might offer scope, and even encouragement, to risky, unwise, and perhaps unsuccessful farmers permanently to alter, change and deteriorate the character of the holdings, that, although he wished to vote for the clause he would hold himself entirely free to support any Amendment, from whatever quarter of the House it was proposed, which appeared to safeguard the true interests of the soil and of agriculture.

Mr. WYNDHAM (Dover) said the hon. Member forHuntingdon had made a speech which must impress the House, because it was the speech of a man who knew what life in the rural districts was like and who was not prepared suddenly to introduce a great change without giving that change and its possible consequences the grave and deliberate consideration which it demanded. At the beginning of his speech the hon. Member expressed surprise that the Government themselves had not put down some Amendments to this clause. As it stood it was of a revolutionary character, and was drafted in terms which would not commend themselves to anyone who knew anything of the life of rural England. The hon. Baronet in charge of the Bill had altogether misconceived the situation. His right hon. friend the Member for South Dublin, who for thirty years had taken a prominent part in benefiting the agriculture of the country, had complained that there had been no defence of the clause. Since that speech there had been no defence of the clause from any member of the Government. The only defence had been made by the hon. Member for Leith Burghs, who, in a very interesting and able speech, had put forward some arguments not for keeping the clause as it stood, but as the raw material of a clause which might be improved by grafting upon it subsequent Amendments. Most of the arguments against the clause had turned on the question of justice between the landlord and tenant. But much more than that was involved. This clause would be interpreted not only by the law courts but by the landlords and tenants of the country. Parliament could not legislate in regard to agriculture without giving a bent to the customs of the country in the future, although they did not know what direction that bent would take; and when it was laid down by law that in future it was to be the tenant and not the landlord that was to guide the policy of farming, they were embarking on a great social and economic change. Such a change should only be made after long deliberation. They could not more effectually throw power and responsibility from one class to another than when they said that no contracts or agreements, however binding, were to stand. Therefore, this clause involved far more than the relations between landlord A and tenant B. The hon. Member for Leith Burghs, who alone had defended the clause with some agricultural knowledge, had great doubt about its full effect. He had said that the equipment of the farm would still be left to the landlord, but far more would be involved than that. He had said that this question turned on initiative. He had argued very well, but he had balanced, and, had decided if anything, that more initiative would be got from the tenant farmer than from the owner. But even if that were so, the argument was not an adequate defence of the clause. He (Mr. Wyndham) did not think that the landlords of the country need be ashamed of the part they had taken in the matter, for they had not only taken the initiative in England but had shown an example to farmers in other parts of the world, whose prosperity pressed upon us so heavily here. And where could not a tenant farmer be found who was not imitating the example set by progressive landlords, whose names were honoured everywhere because of the initiative they had taken in advancing agriculture? He was not saying for a moment that all the initiative had rested with the landlords. On the contrary, the tenants had often shown the best initiative, and he did not deny that many landlords took narrow and hide-bound views. But even if it were conceded that the tenants had all the ideas in regard to scientific and progressive farming, that would not be a defence of the clause. Who was likely to put the most capital into the land to work out ideas—the landlord who had a permanent interest in the land or the tenant who went from one farm to another, from one county to another, or even from England to one of our Colonies? Which of the two classes was most likely to back up progressive ideas with adequate capital? It was the landlord who was entitled to initiative, because he was the man who stood to gain or lose most, and if he lost the whole country lost, and that was against the sound progress of the agricultural industry. But initiative was not all; capital was not all. There was something else. They could not regard this matter merely in its relation as between landlord and tenant in respect of one holding. All holdings were related to each other; and they owed something to a comprehensive view of agriculture; that was to say, in respect to the position or condition of many holdings of totally distinct types. In regard to an industry so closely connected with other industries, such as railways and motor vans, if the farmers were destroyed their places would be taken by large syndicates running upon scientific lines of development in regard not only to production but to transit and other matters. They knew there were a number of prospective farmers ready to come in and run the farms upon lines approved in regard to each particular county. At present the class of the community represented by landlord and tenant formed, say, fifty out of 500 in those happy districts to which desolation had not yet come. The other people in these districts had, however, their rights as well as landlords and tenants, and had a right to look forward to conservative changes for their benefit. If, however, the one man in possession—the tenant—was given the power to change the character of the farm, it would shut out all improvement. The result would be to stereotype the new conditions in favour of one class as against the other classes.

*MR. TOMKINSON (Cheshire, Crewe) said that in his opinion the clause was a very valuable and good one, and gave freedom of cultivation and freedom to carry on a very important industry in the best possible manner. At present a farmer might farm his land in the very best manner, and although under his agreement debarred from breaking up certain grass fields, he might break one up, an instance of which he knew, with the agent on the spot taking no exception to his action. It was well known that grass fields which had laid down for half a century were often better for being broken up, because the grass became sour and the cattle would not graze there. Yet, although the tenant had pursued a good course of husbandry on that field, put on artificial manure and finished off with clover, making it a very much better field than it was before, with the agent standing by—although no expense he had incurred was allowed for—there was exacted from him a penalty of £10 per acre for breaking up that particular field.

MR. WALTER LONG said that that must have been before the Act of 1900.

*MR. TOMKINSON said he was quite aware of that, but he heard the right hon. Gentleman state that the Act of 1883 and 1900 must be read together.

MR. WALTER LONG remarked that what he said was that the Act of 1900 rendered the penal clauses of the Act of 1883 illegal. The penal clauses had therefore nothing to do with the subject they were discussing.

*MR. TOMKINSON asked what then, after all, was the objection to the clause? Were not right hon. and hon. Gentlemen making a mountain out of a molehill? Was it not an unnecessary waste of time to discuss the matter further? It certainly did seem rather strange to him that the right hon. Gentleman and the Party opposite were never tired of saying how excellent relations were between landlord and tenant; but the moment they asked them to put a principle into practice and to give the tenants a little more power and freedom, their proposals were denounced as revolutionary. He appealed to right hon. and hon. Gentlemen in their own interest to allow this clause to pass.

MR. VICTOR CAVENDISH (Derbyshire, West) said they had been waiting anxiously throughout the course of this debate for some adequate reason for the introduction of this clause into the Bill. The case which the hon. Member for Crewe had cited had nothing to do with the subject, because the case would have come under the previous Act, which would have prevented anything of the kind from happening. Even before that Act it would have been possible for an arbitrator to decide in regard to what had happened to the field. The whole clause needed a great deal more justification than had been given to it. They were asked, without justification, to tear up all agreements, and place in the hands of tenant-farmers the power of cultivating the land according to what might seem the best course for the moment. He had some knowledge upon this subject, and, he asked, was there any justification for saying that the agreements under which tenant farmers held the land acted injuriously to agriculture as a whole? It was possible that they prevented a tenant farmer from having that immediate turnover which he might otherwise have, but the carrying on of the great industry of agriculture could not be said to be analogous to the keeping of a shop, where an immediate turnover was necessary for the well-being of the shopkeeper. He asked the Government to give some adequate reason for the assertion that the agreements under which tenants held had proved disastrous to agriculture as a whole. It had been said that landlords knew nothing of their land, and that they restricted their tenants from cultivating it in the best manner. There were very few landlords in this country who would not gladly assist their tenants, and help them in every way, if the tenants could show them that they saw a better means of cultivation, under which the land would yield better results. But they required to be shown that the system was better. This clause would produce fundamental changes and would place a very heavy and unenviable duty on the landlords of the country. It would be necessary for them in the future, instead of allowing their tenants to cultivate the land to the best of their ability, to watch them and endeavour to find out what they were doing in the cultivation of the soil. He ventured to say that the tenant might be considered to be a reasonable human being, and that when he took a farm he knew what he was doing that when he signed an agreement he knew what he was about, and that he was an honourable man and intended to adhere to the bargain he made. There was no reason to believe that tenants to-day had been forced to make agreements and to put their signatures to documents which they knew to be wrong. Before they agreed to a fundamental change in the law of this kind they were entitled to some further explanations from the Government.

Mr. GEORGE WHITELEY (Yorkshire, W.R., Pudsey) rose in his place, and claimed to move, "That the Question be now put;" but Mr. Speaker withheld his assent, and declined then to put that Question.

Mr. BARKER (Penryn and Falmouth) said as he had some land perhaps his experience as a farmer might be of interest. He had two farms which he tilled himself under no restrictions, and he had four farms which he let and which were tilled without restrictions. Those farms were, he believed, throughly well tilled, and there was no agreement except that the land when given up should be in the same condition as when it was taken. He was one who did not believe in divided responsibility. He thought many farmers knew a great deal more as to how the land should be tilled than the landlords themselves, and he believed that if landowners let their land at a fair rate and gave absolute freedom in tilling they would get far better results than by the imposition of such restrictions as were put upon land in some instances. He would like hon. Gentlemen opposite who were afraid to trust the British farmer to see the land that was tilled under the conditions of which he had spoken. He believed the more liberty that was given to the tenant the better it would be for the landlord.

Mr. ABEL SMITH thought the argument of the hon. Gentleman who had just sat down really strengthened the view of those who did not want to restrain good tenants from carrying out forms of agriculture which they believed to be most advantageous to themselves and the land they farmed; but they thought that the owner should have some voice in regard to experiments which might prove disastrous to the tenant and the land he cultivated. This clause was an absolutely new departure. Was it really going to be of such great benefit to the tenant farmers? Was it a genuine clause? He maintained that it was a fraud. It contradicted itself. If it were absolutely necessary for the prosperity of agriculture in this country that the tenant farmers should have absolute freedom of cultivation, why did the promoters of this Bill and the Government who had taken it up at the eleventh hour immediately begin to make exceptions in the clause? If this clause were going to confer such great benefits on agriculture they ought not to admit any of those exceptions. In his opinion, the clause was absolutely unnecessary, because any farmer who carried on his business in such a manner as to maintain the fertility of his holding enjoyed as much freedom of cultivation as he could possibly want. In his own experience he had never known any of these restrictive clauses put in force. The clause, besides being absolutely unnecesary, did not carry out what it professed in a logical and complete manner. The tenants had practically freedom of cultivation at the present time, and there was no justification under present conditions for taking the control of the land out of the hands of the owners, and placing it in the hands of men who were simply the occupiers of the land. He hoped the Government's supporters would take up a reasonable attitude on this question, and accept Amendments which would give some real security to those who were entitled to look to Parliament for protection in this matter.

MR. COURTENAY WARNER thought it was quite time they came to a decision on this question. After all, the tenant who worked on a farm was the best judge of how the farm ought to be cultivated, and he ought, by law, to have freedom of cultivation. That was the point at issue. Hon. Gentlemen opposite had stated that this clause was a great revolution, and that it was much better for the landlord to retain control of the cultivation of the land. The only point they had to decide at the present moment was whether the landlord or the tenant should have control of the cultivation. He hoped they would vote upon that question, and when they came to the words of the clause he was quite sure that the Opposition would find the hon. Baronet in charge of the Bill quite ready to accept reasonable Amendments. There was one reasonable Amendment in the name of the hon. Member for South East Durham, but that was not the question they were now debating. He thought it was quite time the House came to a decision on the question whether the landlord or the tenant ought to control the cultivation of the soil.

MR. J. WARD (Stoke-on Trent) said he had followed this debate from the very beginning, and had listened to the arguments on both sides. Several speakers had stated that Clause 4 was a revolutionary proposal. He took it for granted that the real principle of the clause was contained in the words "a tenant shall have the whole right to cultivate, crop, or dispose of the produce of his holding without incurring any penalty." That really was the principle of the clause, and consequently that was what was supposed to be democratic and revolutionary. He was afraid that this Parliament would see many proposals far more revolutionary than that before very long. The Members of the Opposition, by their hostility to the attempts now being made by the Government to mitigate some of the evils of peasant proprietors and cultivators of land, would make it possible to bring about far more revolutionary proposals than those they were now considering. A mere stupid, senseless hostility to reforms which had been proved to be necessary would only lead to more extreme proposals being made later on. It had been said by the hon. Member for West Derbyshire and the right hon. Gentleman the Member for Dover, that no defence had been made of this clause by the Government. He wished to remind them that the Solicitor-General for Scotland had made a statement which lasted about twenty minutes explaining this clause. He explained that it was only carrying out a principle taken from the Acts of 1900 and 1883, and showed very clearly that there was nothing revolutionary in it at all. The right hon. Gentleman the Member for Dover, who was not in his place when the Solicitor-General for Scotland made his statement, and the right hon. Member for West Derbyshire had complained that no explanation of the clause had been given, in spite of the fact that the right hon. Gentleman representing the Opposition had thanked the hon. and learned Gentleman for his lucid explanation. Considering that a great number of the hon. Gentlemen who were now asking for explanations could have had those explanations if they had been present earlier in the evening, he thought they must agree with the hon. Member for Lichfield that to a great extent they were absolutely wasting time. The question was simply whether they agreed with the words that "a tenant shall have full right to cultivate, crop, or dispose of the produce of his holding without incurring any such penalty." That was the sole principle involved, and if hon. Members opposed that principle let them say so He should like the country generally to understand that the opposition to the clause was not due to any want of explanation of the principle, but because they did not believe in the principle itself.

MR. A J. BALFOUR said the hon. Member for Stoke made it a matter of reproach to his hon. friends and himself that they were not present at the time when what the hon. Member described as the able and lucid defence of this clause was delivered by the representative of the Government.

MR. J. WARD: The right hon. Gentleman the Member for South Dublin so described it.

MR. A. J. BALFOUR said he was sure that the defence was able and lucid, because the Solicitor-General for Scotland never spoke in this House without deserving such an eulogy. He himself had been present from a quarter to four till a quarter past eight. He was aware that under the ingenious rules passed by the present Government the House was supposed to be able to legislate without eating, but he unfortunately, was not superior to the ordinary needs of humanity, and unless his observation deceived him the same lamentable weakness was to be found among hon. Gentlemen opposite. The hon. Member for Stoke who had reproached them with this want of endurance was himself absent continuously until he addressed the House, but he was too modest to admit the fact. He had politely informed the Opposition that they were too senseless and stupid to carry out reform or to deal with change when change became necessary. He was surprised to hear that statement from the hon. Gentleman, for he understood from other portions of his remarks that the lucid speech of the Solicitor-General for Scotland was devoted to showing that the Government were trying to bring to perfection the legislation of the Conservative Government of 1900. The Government had no word to say in support of their own proposal except that in their opinion it carried out the policy of the "senseless and stupid" party of whom the hon. Gentleman made his polite references. The principle which seemed so obvious to hon. Gentlemen opposite was that it was to the farmer and not to the landlord that the guidance of the cultivation of this country should be entrusted wholly and without control. He did not think that was a principle which was at all obvious or plain. He supposed if he talked about the rights of property that would be regarded in this assembly as a ludicrous and antiquated suggestion. He would defer, as he always endeavoured to do, to the prejudices of the audience he happened to be addressing, and he would refer to that unpleasant theme as little as he decently could, but he must in passing and parenthetically, remind the House that to say that land which was owned by a man was to be taken entirely out of his own control in every particular if he happened to let it for the purpose of cultivation appeared to him to be a very violent paradox. Let him remind the House that it was not merely the soil that the land owners owned; they owned more than half the capital on which the tenants of this country worked. To hear some Gentlemen talk one would think that the ordinary English or Scottish landlord owned simply an unimproved area, and that all the capital for working a farm was supplied by the tenant. Well, that was not the fact. It had not the remotest resemblance to the fact. Not only was the land owned by the landowner but all the permanent capital was owned by the landowner. It was provided very often from borrowed money, he regretted to say, but still it belonged to him. He had invested his own money and the money of his children in it, and to say that they should not only require that his land should be cultivated in the way somebody else desired to cultivate it, but that his capital also was to be used, not as he wanted it to be used, but as somebody else wanted to use it, was one of the most violent paradoxes which could be put forward in an assembly which still accepted the principle of private property. He was aware that it was not a principle which was accepted by hon. Gentlemen below the gangway. It was the private property of the farmer that hon. Gentlemen were anxious about, and there was no approach to the collectivism dear to their hearts, or to nationalisation of the land, in any of the proposals of this measure. He believed it would be admitted on all sides of the House that this was a very violent interference with the ordinary and natural rights of a man who owned the land which he had bought and the capital he had expended upon it. Was there any justification from the point of view of public policy for overriding the presumption that a man might have some right to conduct his own property as he chose? He assumed that the view of the hon. Gentleman was a very simple one, and that it was founded on the fact that if they left it to the landlords to lay down the lines of agricultural policy they would do the best for the country, and the best in the interests of the farmer himself as well as of the landlord. The history of agriculture in this country was not a history of which either the landlords or the tenants need be ashamed. They had been in all matters appertaining to the cultivation of the soil the pioneers of the world—in the East, on the Continent of Europe, and in the great West. They were the great breeders of stock; the great inventors of agricultural methods; and they had always been most eager to carry out new improvements. Owners and occupiers claimed a share in that great advance. They had been told that the landlords had a margin of capital over the tenants, and had been more ready to risk their capital in agricultural improvements. Well, if that were admitted, and there could be no question of it as an historical fact, to which class would one most naturally entrust the permanent qualities of the soil? He agreed with hon. Gentlemen below the gangway that the landlords, the tenants, and the whole community had an interest in seeing that the land was used to the best advantage; but whom would they naturally make the trustee of the fertility of the soil? The men who dealt with it for a year or two, or the men whose interest in it was of a permament character, and who had got the land through a long line of ancestors, and hoped to leave it to a long line of successors? They all knew that the vast majority of the tenants and landlords of the country were on an absolute parity as to their interest in husbandry; but there were tenants who desired to derive the greatest advantage from their tenancy as against the permanent good of the land. Therefore, they had to admit that it was not impossible—it came within their own experience—that the interests of the tenants might not always be identical with the interests of the permanent qualities of the soil. But there never could be a permanent conflict of interests between the community and the landlord. The man who had not only the natural right to the land, because he had either bought it or inherited it, but had invested in it in a great measure the permanent capital by which it was worked, had the right to guard the interests of the soil, and to say how that soil was to be used. He was sure that that was a policy consistent with the interests of the agricultural labourer. The hon. Member for Huntingdon had told the House that by this clause they would give power to the man whose connection with the farm might be absolutely temporary to drive away nine-tenths of the agricultural labourers from the land whether the landlord liked it or not. The Government had shown no sense of the importance of the problem with which they were dealing, and the whole conduct of the Bill had been left to lawyers and Court officials. No Cabinet Minister would touch it with the tip of his finger. They naturally left it to those who were acting under orders, and to whom responsibility could not be attached in connection with measures of this kind. The hon. and learned Gentleman, of whose capacity he would not think of speaking without the highest respect, had never come to the merits or the policy of this clause. The very able and distinguished, but necessarily subordinate officials, upon whom the Government had thrown the burden of defending the Bill, had only fallen back upon legal precedents and arguments, and had utterly failed to explain the policy which ought to underlie so great a change as that which was here proposed. He ventured to make the third appeal which had been made from that bench to the Government to defend their own clause. This they had up to now refused to do, except by references to the Act of 1900. There might be some Cabinet Ministers on the Treasury Bench—yes, there were two at the end. Doubtless in the recesses of the Cabinet the high policy which dictated this clause had been thrashed out in their presence and with their sanction. The members of the Government were not senseless; they were not stupid; they were great statesmen; let them not shield themselves under the incompetence of their predecessors. Let them come forward in their own glory and let the House hear what were the real reasons for the policy which had led them to father this strange legislative abortion.

*MR. LUPTON (Lincolnshire, Sleaford) said the farmers of Lincolnshire wanted this clause, and he ventured to say they were as good and clever farmers as there were in Europe. One of the best and cleverest farmers in Lincolnshire was asked to sign an agreement which limited his freedom of cropping. He refused to sign that agreement, and although he had been on the estate all his life and his father before him, he was turned out because he demanded the freedom of cropping which he got on another farm. That was why the Lincolnshire farmer desired this clause, but anyone who listened to right hon. and hon. Members opposite would imagine that there was no need for it, and that everything was managed in the best of all possible way in the best of all possible worlds. He remembered a statement by the right hon. Gentleman the Member for West Birmingham that agriculture was dead, and nearly all the hon. Members opposite had been going up and down the country saying it was dead, or at all events, that agriculture was depressed; that the landlords were being ruined; that the tenants were being ruined; that the labourers were dismissed; that the industry was an absolute failure, and they proposed a most drastic remedy which the country had rejected by an overwhelming majority. Now, however, when a Liberal Government came forward and suggested a moderate and temperate remedy, not a harsh one such as right hon. Gentlemen opposite proposed, but one which met with the approval of the tenant farming class, and partly transferred the management of the land to the farmers from the class which had confessed, professed and advertised its failure, then right hon. and hon. Members came forward and said the present system was successful though, in order to resuscitate it, they were ready to tax the food of the people of this country.

Mr. AUSTEN CHAMBERLAIN said that during the fourteen years he had had the honour of having a seat in this House he could recollect no debate upon any great or important question which had been conducted in the way in which this debate had been. The House knew that originally this Bill was not a Government Bill, but they did not understand until that day that in fathering the Bill the Government had absolved themselves from all responsibility for defending it, and that the Opposition were to have no answers to the arguments they brought forward against it, or if they had any they were to come from private individuals who had originally brought in the Bill, but who had ceased to have any responsibility for conducting it. After the last remarks of the hon. Member for Sleaford he should think that even the Government would feel that there was some inconvenience in leaving the defence of Government measures to individuals. The hon. Member had invited the House to a discussion of the fiscal question as it affected agriculture. That was his sole object in rising. [Cries of "No."] Hon. Gentlemen should not contradict him, because the hon. Member for Sleaford was in his place, and would correct him if he was wrong.

Mr. LUPTON said he certainly would do so. His object was to show that the landlords had confessed their incapacity to manage the land, and therefore on their own showing it was necessary to have a change of management.

Mr. AUSTEN CHAMBERLAIN said he was wrong in stating that the sole object of the hon. Member was to raise the fiscal question. He confessed he was wrong, and he apologised, but if that was not his object he could not have more effectually done so than by the statements he had made. Nothing would have restrained him from following the hon. Member on that topic except that having been a Member of the House longer than the hon. Member he knew that he would be out of order if he did so. But he did rise to make a protest against the conduct of the Government. The Government had treated this measure rightly, perhaps, inasmuch as they had declined to argue it. They had also dealt rightly with the clause from that standpoint, but under these circumstances how was the House to proceed with the discussion? There was no attempt to defend the Bill by the Government and arguments against it were answered by the laughter of Ministerialists, who forgot that their *rôle* was to be the defence of the interests of the tenant farmers, and behaved as if they were at a farce. The silence of the Government was not decent, but it was more decent than the noisy interruption of their followers. Three times in the course of the debate serious appeals had been made to the Cabinet Ministers who were recently present, but who, when attention was called to their presence, unlike strangers under the present rules of the House, withdrew. It was a pretty state of things that when they called attention to the presence of strangers they remained, but when they called attention to the presence of Ministers they withdrew. Serious appeals had been made by his right hon. friend and no answer had been attempted. No reply had been given to his right hon. friend the Member for West Derbyshire who had challenged the Government to show the necessity for such a clause as this. Two attempts were made but not by the Government. One hon. Member illustrated his arguments by a case in which permanent pasture was broken up and in which great penalties were imposed on the tenants. But that was no answer to this Bill because the case was taken under the Act of 1900.

MR. URE was understood to say that the Act of 1900 did not apply.

MR. AUSTEN CHAMBERLAIN asked whether the hon. and learned Gentleman would say that this Act would apply. He would not. That was quite sufficient for his (Mr. Chamberlain's) purpose. This Bill would not remedy that defect. The hon. and learned Gentleman admitted that this Bill would not deal with that case. There had been two defences. The hon. Member for Penryn defended the clause because he desired that a tenant should cultivate a farm as he thought best, provided only that he left the land in the same condition as it was when he took it over. This Bill would not allow that. This clause made the tenant the arbiter of how the land should be cultivated, subject to his leaving the land in the same condition in which it was when he took it. But who settled that condition? The landlord laid down that condition. No defence had been given by the Government, no answer had been given to his right hon. friend the Member for South Dublin, who pointed out the danger there was of the tenant permanently deteriorating the land. There had been no answer to his right hon. friend the Member for Dover, who called attention to the higher interest of having an estate managed as a whole in the interest of the whole, when the interest of the whole was possibly different from the interest of a particular tenant, and where it was a matter of great importance to those concerned, that the whole produce of an estate should be marketed on the most advantageous terms, and when in order to get low railway rates it was necessary to have a homogenity of tenure. There had been no answer from any quarter of the House to the point raised by the hon. Member for Huntingdonshire, reinforced by the right hon. Gentleman the Leader of the Opposition, that they were putting it in the power of a tenant who might be a temporary dweller in a particular district permanently to deprive of their sustenance the great bulk of the labourers. There had been no attempt to answer the point of principle raised by his right hon. friend as to who was the best guardian of the permanent interests of the land, the landowner who by himself and his descendants represented people who had a permanent interest in the land, or the tenant who might be the occupier of the land only for a short period. Hon. Gentlemen below the gangway defended the Bill, but they were not very enthusiastic. Their appeal was not so much on behalf of tenant farmers as because they were looking to the national ownership of land. Did hon. Members below the gangway suggest that there would be no restrictions when the State owned the land? There was land owned by the State now vested in the Commissioners of Woods and Forests, and having regard to what took place at the accession of the late Queen and the present King, Crown Lands would always be vested in the Commissioners of Woods and Forests and be surrendered in return for grants from the Civil List. Was that a condition of ownership which hon. Gentlemen below the gangway would like to see extended? Had hon. Members ever read a Crown lease? Crown leases were far more exacting than the leases granted by any private owner in this country. None of these points had been dealt with by the Government, and those on the Treasury Bench, representing the Government, sat in silence or took turn and turn about to gag debate and move the closure. Cabinet Ministers lurked behind the Speaker's chair, or flew from the House when attention was drawn to their presence. Serious arguments had been left unanswered, and he had never known a Government attempt to carry on the business of the country in such a way He had known five Houses of Commons, and he had not yet seen the House of Commons which would have submitted to be treated in this way. As a protest against the conspiracy of silence which had been adopted by the Government, he begged leave to move "That this debate be now adjourned."

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Austen Chamberlain.*)

MR. GEORGE WHITELEY hoped the right hon. Gentleman would not persist in his Motion. He did not suppose that the House very much wished to sit after Christmas, and if they did not wish to sit for an inordinate length it was absolutely necessary that they should get through the Report stage of this Bill to-morrow night. This Bill would have been discussed on the Report stage for seven days in this House and nine days were spent upon it in Committee. It was absolutely necessary that they should finish the Bill to-morrow night. [OPPOSITION cries of "Why?"] Perhaps the Government might be allowed to manage the business of the House. He suggested that they should conclude Clauses 4 and 5 of the Bill to-night and the rest of the Bill to-morrow night, and he trusted hon. Members sitting on the Ministerial side would remain in force in order to carry out this intention.

MR. A. J. BALFOUR asked was there ever a more extraordinary position? Whatever else might be said of this Bill nobody would deny that it touched very great interests and raised questions of a very controversial character. They were now left without a single Cabinet Minister on the Treasury Bench, and they were being lead not by the Leader of the House but by the Chief Whip. He was sure the hon. Member had every qualification, but he knew from long experience that on an occasion like this it was not usual for that to be done. If the Leader of the House was kept away by any necessity the House regretted it, but where was the Chancellor of the Exchequer or the Secretary for War? Why were they not having the help and guidance of some responsible Member of the Government? The hon. Gentleman had stated that he expected to get Clauses 4 and 5 to-night, but it was impossible to do that. He did not mean it was impossible if they sat continuously for a long period, but that they could not pass both those clauses to-night and adequately discuss them. To ask for Clauses 4 and 5 to be passed during that sitting was really asking for something that was impossible.

MR. GEORGE WHITELEY said the House sat till four o'clock "the next afternoon" upon the Agricultural Rating Bill when the right hon. Gentleman himself tried to get that measure through the House.

MR. A. J. BALFOUR said he remembered that Bill very well, because he was Leader of the House and he sat up. As the hon. Gentleman had mentioned that measure he might say he thought it was an instructive parallel. The Agricultural Rating Bill embodied a single narrow principle with no important details of machinery. The principle might have been right or wrong, but the majority of the House thought it was right and the minority thought it was wrong. It was a narrow simple issue discussed on the First Reading at great length, and after the Second Reading they had the Committee stage in the House, and although that measure did not command unanimity the great mass of Radical agricultural Members supported it. Did it offer any parallel to this Bill which had not been discussed on the Second Reading at all, which was withdrawn from the House on the Committee stage, and which came before the House now practically for the first time? The Patronage Secretary now desired that they should take Clauses 4 and 5 in one night, beginning at eight o'clock and going on to some indefinite period in the morning. He thought that was profoundly unreasonable. If they searched the records of the last Parliament or any Parliament they would not find a parallel case. If the hon. Member thought that the debate on this clause had lasted a very long time, who was responsible for that? Why, the Government who had refused to answer the questions put to them. They had in terms varying from earnest requests to invective tried to induce hon. Gentlemen opposite to tell them why they wished to carry out this great scheme and they had failed. One

Scottish lawyer had spoken upon the subject from the legal point of view with great ability, but no Cabinet Minister had spoken, and the hon. Baronet in charge of the Bill had not done more than indicate that he was prepared to accept certain Amendments. Nobody had defended the Bill from the Government Benches. That was not the way to get through the business. He agreed that there was a point after which it was useless for the Government to attempt to reply, but that was after they had made their case out, and put their arguments seriously before the House. He wished to say two things to the Government. In the first place he wished to point out that the way to get through the business was not deliberately to refuse to answer serious arguments seriously; and secondly, he wished to observe that the notion of pressing through proposals of this great importance—which had never been discussed in the whole House—in the small hours of the night and the early hours of the morning was not good for the House of Commons, for the conduct of the business, or for the interests of the Government themselves.

MR. HALDANE did not think the challenge which the Leader of the Opposition had just uttered ought to pass unnoticed. The principle of this clause had been debated since eight o'clock. It was a clause which embodied an important principle, but the Government were most anxious to meet right hon. and hon. Gentlemen opposite. What he desired to say was that there was a serious interest taken in this measure in the agricultural constituencies. They had now been discussing this clause for four-and-a-half hours. He supposed the right hon. Gentleman opposite called those personal diatribes to which they listened a short time ago debate. He confessed he should like to have heard something which touched the principle of the Bill, because the question was one, he agreed, of great moment. The result of all the debate had been to prove that it was useless to make offers of concessions. [AN HON. MEMBER: You have not tried it.] The exigencies of a busy department had prevented his being present throughout the debate, but he had followed the proposed compromise with some interest. [OPPOSITION cries of: "What compromise?"] It was an Amendment from their own side of the House. This Question had been debated as if it had never been before Parliament and the country before. He held that there had been ample opportunity for discussion, and that it was high time this part of the debate was brought to a conclusion. Therefore the Government would resist the Motion which had been made.

MR. WALTER LONG said the right hon. Gentleman had stated that on this side they had rejected the overtures made from the other side. The only overture made was by the hon. Baronet in charge of the Bill, and what was it? The right hon. Gentleman called it a compromise. It was a faint indication, guarded in the most careful way, that the Government might accept the Amendment of his hon. friend the Member for South-East Durham if the House generally approved. The Secretary of State for War was not present when he asked the hon. Baronet what he meant by the term "if the House generally approved." In reply the hon. Baronet made a most remarkable statement. He altered the original words, and said that the Amendment would be adopted if the Opposition side of the House approved of it. The right hon. Gentleman had fallen back on the argument that this Bill was debated nine days in Committee. Yes, but who had been present upstairs to defend the measure on behalf of the Government? Throughout the whole of those proceedings there was no Cabinet Minister present, nor had the Committee the advantage of the advice of any law officer of the Crown except a Scottish law officer. The fact that the Bill was debated nine days upstairs was no reason why it should now be forced through the House. The right hon. Gentleman could allow this debate to be continued, but he could not alter the fact that the clause they were discussing contained a vital principle in connection with land legislation. Practical Questions had been asked, but they had not been answered except by private Members. He and his friends had endeavoured to unravel the mystery in connection with the clause, but they had not succeeded, and no Motion for the adjournment of a debate was ever better justified.

Mr. DALZIEL (Kirkcaldy Burghs) said he did not associate himself with the persistent opposition to this Bill, but at the same time he recognised that, looking on the principles raised by the measure, it was not desirable, even in the interest of those who wished to see it passed, that it should be rushed through the House in the dead of night without due and adequate consideration. The Patronage Secretary's desire to get to the end of the fifth clause that night was a very laudable one, but he knew from his experience of Parliamentary warfare that to carry by the mere force a large majority any proposal, however reasonable they might consider it, was not after all in the real interest of the Government or the measure they brought forward. He had heard with surprise the comparison of the procedure on this Bill with that on the Agricultural Rating Bill. What was the history of that measure? It was brought forward at night. [Interruption.] He was not going to be bullied down by the opposition of hon. Members on his own side of the House. He did not change his opinions even if he changed the side of the House on which he sat. The Agricultural Rating Bill was brought on after twelve o'clock, and the discussion of the measure was objected to on the ground that the public had no opportunity of knowing what was going on. That was an important measure. This also was an important measure. In the best interests of the Government it was not wise to keep the House sitting after midnight to discuss measures of any great importance. What was the intention of the House when the eleven o'clock rule was suspended? When a Motion for the suspension of the eleven o'clock rule was carried, it did not necessarily mean that the House should sit all night. It meant that the House should not adjourn at 11 o'clock, but it did not deny the right of the House to adjourn at 11.30 or 12.30. He had taken this position all along; and he warned hon. Members who were new to the House, and he did so with great respect, that the history of the Opposition during the last twenty years showed the futility of the Government of the day trying to push measures through after 12 o'clock. Eight hours a day was quite long enough for hon. Members to sit, just as eight hours a day was quite long enough for labourers outside to work. He spoke in the interests of legislation itself. Not only so, the House had its duty to discharge to the officials whom they had no right to ignore. He protested generally, as he had done when sitting on the other side of the House as well as on this, that this method of legislation was not for the advantage of the Government itself or for the advantage of the country. In all seriousness he appealed to the Government to agree to the adjournment. They knew from the history of these all-night sittings that it never paid to press forward a matter when a great body of opinion was against it. He suggested as a compromise that the adjournment should take place now, and that the Leader of the Opposition should agree not to prolong unduly the debate on the morrow. In his humble judgment the continual suspensions of the eleven o'clock rule were unreasonable. They had had more suspensions of the rule this last session than they had ever had before. In his opinion that was not in the interest of the House or of the Government itself.

Mr. LAMBTON (Durham, S.E.), supported the adjournment.

Colonel KENYON-SLANEY said he was quite sure he was speaking on behalf of those round him when he said how much they regretted that the Secretary of State for War had not been able to be present in the House earlier, for he was sure that if the right hon. Gentleman had been there they would not have got into their present difficulty. The right hon. Gentleman would have recognised that the arguments put forward against the clause were temperate and that the clause needed amendment. Moreover, the House would have had some leadership and guidance, and the right hon. Gentleman would have seen where the Opposition was strong and the supporters of the Bill were weak. He asked the hon. Member for Kirkcaldy, who talked about the time he had been in the House, whether, in the plenitude of his experience, he had ever known a Bill of this importance, a Bill adopted by the Government, being conducted in debate in the absence of any Cabinet Minister or of any strong member of the Government? Had he ever known the closure to be moved on such a Bill, not by the Leader of the House or by a responsible Cabinet Minister, but by the official Government Whip?

Question put.

The House divided:—Ayes, 77; Noes, 256. (Division List No. 397.)

AYES.

Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Balfour, Rt. Hn. A. J. (City Lond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bull, Sir William James
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt. Hn. Victor C. W.
Cecil, Lord John P. Joicey
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt. Hn. J. A. (Worc
Chance, Frederick William
Coates, E. Feetham (Lewisham
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Cross, Alexander
Dalrymple, Viscount
Dalziel, James Henry
Faber, George Denison (York)
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hills, J. W.
Hunt, Rowland
Kennaway, Rt. Hn. Sir John H.
Kenyon-Slaney, Rt. Hn. Col. W.
Keswick, William
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Rt. Hn. Walter (Dublin, S
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
Nussey, Thomas Willans
Pease, Herbert Pike (Darlington
Percy, Earl
Randles, Sir John Scurrah
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool Walton
Stanley, Hn. Arthur (Ormskirk)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Thomson, W. Mitchell-(Lanark
Turnour, Viscount
Wilson, A. Stanley, (York, E. R.)
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

Tellers for the Ayes—Sir Alexander Acland-Hood and Viscount Valentia.

NOES.

Abraham, Wm. (Cork, N. E.)
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baring, Godfrey (Isle of Wight)
Barker, John
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. H. (Eastbourne
Beaumont, Hn. W. C. B. (Hexh'm
Beck, A. Cecil
Benn, Sir J. Williams (Devonp't
Benn, W. (T'wr'Hamlets, S. Geo.
Bennett, E. N.
Berridge, H. T. D.
Bertram, Julius
Bethell, J. H. (Essex, Romford
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordshire
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Burns, Rt. Hon. John
Burnyeat, W. J. D.

Buxton, Rt.Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Causton,Rt.Hn.RichardKnight
Cawley, Frederick
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, SirWm.J.(S.Pancras,W
Cooper, G. J.
Corbett, C.H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crossley, William J.
Davies, Ellis William (Eifion)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson,W.H.(St.Pancras,N.
Dickson-Poynder, Sir John P.
Dolan, Charles Joseph
Duckworth, James
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gardner, Col. Alan(Hereford,S.
Gibb, James (Harrow)
Gilhooly, James
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R.L.(Caithn'ss-sh
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Idris, T. H. W.
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, Wm. (Carnarvonshire)
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Levy, Maurice
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendal (Lincoln)
Markham, Arthur Basil
Marks, G.Croydon(Launceston
Masterman, C. F. G.
Meagher, Michael
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Chas. N. (Doncast'r)
Norman, Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Dowd, John
O'Grady, J.
O'Kelly, Conor (Mayo, N.)
O'Malley, William
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearson, W.H.M.(Suffolk, Eye)
Philipps, Col.Ivor(S'thampton)
Philipps, J.Wynford(Pembroke
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Price, RobertJohn(Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Richards, Thos. (W. Monm'th
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Scott, A. H. (Ashton underLyne
Seddon, J.
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Soames, Arthur Wellesley
Stanger, H. Y.
Stewart, Halley (Greenock
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Tennant, Sir Edw. (Salisbury)
Thomas, Sir A. (Glamorgan, E.
Thomas, DavidAlfred(Merthyr)
Thompson, J.W.H.(Somerset,E
Thorne, William
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Ward, W.Dudley(Southampt'n
Warner, Thomas Courtenay T.
Wason, Eugene (Clackmannan)
Wason, John Cathcart(Orkney
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williamson, A.
Wills, Arthur Walters

Wilson, Hn. C. H. W.(Hull, W.)
Wilson, Henry J.(York, W. R.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord(Norfolk, Mid)
Woodhouse, SirJ.T.(Huddersfd

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

Question again proposed, "That the word 'notwithstanding' stand part of the Bill."

MR. HICKS BEACH (Gloucestershire, Tewkesbury) thought they ought to get some definite explanation and reason from the Government for having brought forward this Bill. He was compelled to ask what had been the answer which had been given to the House on this question. They had had appeals to the Government from hon. Members sitting on that side of the House, but there had been no answer from the Government or even from hon. Members interested. What was likely to be the position of the incoming tenant if this clause was carried? Under the clause as it stood, the existing tenant might apply any vagaries he chose as regarded cropping and carry them on for a certain time and then find out that his method was not likely to be beneficial to himself or to the holding, and with the superior knowledge which they were told he had to that of his landlord he might come to the conclusion that his method of cropping having deteriorated the farm he would move elsewhere. But that deterioration, although it might be apparent to himself, might not be apparent to the valuer or to the incoming tenant, with the result that the latter would suffer by having to pay on a valuation very seriously in excess of the improvements which had been made to the soil. It appeared to him that great reflections had been cast on the ability and intelligence of the present class of tenants. For the last twenty years they had been the masters of the situation, and if a tenant had bound himself to arduous conditions which did not allow him to cultivate his farm on remunerative terms he had only himself to blame. The so-called arduous terms with regard to cropping were seldom enforced in the case of a good tenant. If a tenant was a good one and the farm was well cultivated, although not strictly in accordance with the terms of the tenancy, ninety-nine out of 100 landlords would be desirous of keeping him. But they objected to have all these contracts overriden and to have no specific terms of cultivation at all, because they were a great safeguard against bad tenants. Many men came up from the west of England to the more central parts of the country with the intention of skinning the land. He should vote against this clause, because he thought it was prejudicial to the interests both of the landlord and of the incoming tenant.

LORD R. CECIL said he had observed, as most Members had, that the defence of this Bill had been left entirely to the legal members of the Government. He was not surprised, because, so far as he could follow it, it was likely to be of great advantage to the legal profession, but not to anybody else. He did not object to a Bill being brought in for the advantage of the legal profession. What puzzled him was the title of the Bill. It was called a Land Tenure Bill; he should have thought it ought to have been called a Lawyers' Relief Bill. This clause purported to say that, whatever contract was entered into between landlord and tenant, it should be disregarded. The certain matter of the agreement was to be put on one side, and in substitution for that they were to have in the first place an action for damages, in the second, an action for an injunction, and in the third, a reference to arbitration. All these proceedings were contemplated in the case of a breach of this clause by the tenant. At present, all that had to be inquired into in these disputes was whether a provision was complied with or not. But when this Bill passed they would have to inquire as to whether the tenant was exercising his rights under this clause in such a way as to injure or deteriorate the land. He could not conceive a more complicated inquiry to be brought before a Court. The procedure was equally complicated. First of all, it had to be determined as to whether the tenant had done damage, and if he had, what that damage was; and those two inquiries were absolutely divorced one from the other, for what reason he could not conceive. Could a more unworkable or absurd proposition be put before the House? This was the clause which the Government, at 1.15 in the morning, desired to force the House to accept without any serious consideration, because no one supposed that the House was capable of giving any kind of serious consideration to a subject at that hour. He had no doubt that he would be incapable of clearly understanding the very difficult legal questions raised by the clause, and probably at any time he would be unable to understand the agricultural questions. He submitted that to ask the House at the hour to accept this complicated clause was utterly unreasonable. Was there anything more irrational than to pass measures, not by argument, not by reasoning, but by the test of which Members of the House could do without sleep for the longest period? It was not worthy of that great democratic House. They were perpetually being told of the changes that that House was going to introduce. He was merely asking the House, apart from any Party spirit and that endless *tu quoque* argument adopted by many hon. Members, to consider the question whether they ought to accept this clause at that time of the night and under those conditions. He honestly believed that the example of legislation which was now being set was amongst the worst that had ever disgraced the House of Commons.

VISCOUNT TURNOUR said it seemed to him that this clause could be attacked upon a good many grounds, and on none more strongly than the effect it was likely to have on agricultural labourers. They were now dealing with a Government which through the mouth of its Leader had expressed the wish to encourage the peasant and discourage the pheasant. That catch phrase had not been very well carried out by the provisions contained in this clause, for there was nothing in it which encouraged the peasant whilst there was a great deal in it which encouraged the pheasant. He never saw a clause which was less likely to encourage the peasant. It was a serious menace to agricultural labourers throughout the length and breadth of this country. He wished them fully to realise how the Government were treating them, and more especially the way in which the Department of Agriculture were dealing with them in this Bill. This clause appeared to him to be one of the most ill-drafted clauses which during his two years experience of this House he had seen. Whatever views hon. Gentlemen below the gangway might have, in the opinion of most hon. Members, the clause was considered to be sufficiently important to justify the presence of more members of the Cabinet. In the last division——

*Mr. SPEAKER: Order, order! That argument is hardly relevant to a clause about cropping.

Viscount TURNOUR said he was only endeavouring to show that this was a very important clause. The division list would be sufficient indication to the country to show how the Government treated this clause.

Mr. HUNT (Shrophire, Ludlow) said that as far as he could make out, before a farmer could sell anything at all he had to make adequate provision to protect his holding from injury or deterioration. The hon. Baronet in charge of this Bill proposed exactly to reverse what had always been the custom of the country. We grew more wheat, oats and barley than almost any country in the world, and that in spite of the fact that the land in this country had been cultivated for a great number of years. Unless the cultivation had been well done, the land would have produced very much less. The land of England produced more than the land of any other country because of the agreements existing between landlord and tenant which for a good many years had provided for carrying out the customs of the country. Those agreements had been instrumental in keeping up the fertility of the soil. If the clause they were now considering was carried, it would do a great deal towards ruining the fertility of the soil. He did not think there were many hon. Members on the Ministerial side who knew much about agriculture, but it was acknowledged on all sides that if a landlord had a good tenant he would not desire to turn him out of his holding.

*Mr. SPEAKER: Order, order! I must invite the hon. Member to discuss the clause only and not be led away by interruptions.

Mr. HUNT said that most people who knew anything about agriculture knew that at the present time a good farmer could do what he liked with the land, for he could sow what he liked, and sell what he liked. That being so this clause seemed to him to be a premium upon bad farming. It was generally agreed that the great majority of landlords and farmers were good and did their best with the land. The present system encouraged tenants to farm the land and stay on it, but this clause would encourage farmers to get all they could out of one farm and then go to another farm and do the same thing. Those were the sort of men they would encourage by this legislation. The consequence would be that they would do those farms a great deal of harm, and it would be bad not only for the incoming tenants but for the labourers as well, because the farm would go down in value and the incoming tenant would not be able to employ so many labourers. Thus they would be driving more men out of the country districts into the slums of the big towns. The hon. Member for Sleaford had said that the farmers in his county were all in favour of this clause, but he could assure the House that the case was absolutely the reverse in Shropshire. He thought he was justified in saying that, taking the country as a whole, the great majority of the farmers did not want this clause and had never asked for it. The Bill would do the labourers harm and the small tenants no good.

Mr. HALDANE rose in his place, and claimed to move "That the Question be now put."

Question put, "That the Question be now put."

The House divided:—Ayes 236; Noes 67. (Division List No. 398.)

AYES.

Abraham, Wm. (Cork N.E.)
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Astbury, John Meir
Baring, Godfrey (Isle of Wight)
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W. C. B. (Hexhm
Beck, A. Cecil
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, J. H. (Essex, Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordshire
Brace, William
Bramsdon, T. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford

Brunner, J.F.L.(Lancs., Leigh)
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Buxton, Rt. Hn. SydneyChas.
Byles, William Pollard
Cairns, Thomas
Causton,Rt.Hn.RichardKnight
Cawley, Frederick
Chance, Frederick William
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, SirWm.J.(S.Pancras,W
Cooper, G. J.
Corbett,CH.(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Cross, Alexander
Crossley, William J.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Delany, William
Dickinson, W.H.(StPancras,N.
Dickson-Poynder, Sir John P.
Dolan, Charles Joseph
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gardner, Col Alan(Hereford, S.
Gibb, James (Harrow)
Ginnell, L.
Gladstone,Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hardie, J.Keir (MerthyrTydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R.L.(Caithn'ss-sh
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp

Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Idris, T. H. W.
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonsh.)
Kearley, Hudson E.
Kekewich, Sir George
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Levy, Maurice
Lough, Thomas
Lundon, W.
Lupton, Arnold
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln)
Markham, Arthur Basil
Marks, G.Croydon (Launceston
Masterman, C. F. G.
Meagher, Michael
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Norman, Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Malley, William
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearson, W.H.M. (Suffolk, Eye
Philipps, Col. Ivor(S'thampton
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Price, Robt. John (Norfolk, E.)

Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, WalterRussell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Richards, Thos. (W. Monm'th)
Richards, T.F.(Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rowlands, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott,A.H.(Ashton-under-Lyne
Seddon, J.
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Smeaton, Donald Mackensie
Smyth, Thomas F. (Leitrim, S.)
Soames, Arthur Wellesley
Stanger, H. Y.
Stewart, Halley (Greenock)
Stewart-Smith, D. Kendal
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Thomas, Sir A. (Glamorgan, E.)
Thomas, DavidAlfred (Merthyr
Thompson, J.W.H.(Somerset,E
Thorne, William
Tomkinson, James
Trevelyan, Charles Philips
Ure, Alexander
Ward,W.Dudley(Southampton
Wason, Eugene (Clackmannan)
Wason,John Cathcart (Orkney)
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williamson, A.
Wills, Arthur Walters
Wilson, Hn. C. H. W. (Hull, W.
Wilson, Henry J. (York, W. R.)
Wilson, W. H.(Westhoughton)
Winfrey, R
Wodehouse, Lord (Norfolk,Mid

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael HughHicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bull, Sir William James
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt.Hn. Victor C.W.
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt.Hn.J.A.(Worc
Coates, E. Feetham (Lewisham
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E
Dalrymple, Viscount
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hills, J. W.
Hunt, Rowland
Kennaway, Rt. Hn. SirJohn H.
Kenyon-Slaney, Rt. Hn. Col. W
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S.
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield
Pease, Herbert Pike (Darlingtn
Percy, Earl
Randles, Sir John Scurrah
Rawlinson, JohnFrederickPeel
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, AbelH.(Hertford, East)
Smith, F.E.(Liverpool, Walton
Stanley, Hn. Arthur (Ormskirk
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Thomson, W. Mitchell-(Lanark
Turnour, Viscount
Wilson, A.Stanley (York, E.R.)
Wortley, Rt. Hn. C. B. Stuart
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Si Alexander Acland-Hood an Viscount Valentia.

Question put accordingly, "That the word 'notwithstanding' stand part of the Bill."

The House divided:—Ayes, 236; Noes, 65. (Division List No. 399.)

AYES.

Abraham, William (Cork, N.E.
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Armitage, R.
Astbury, John Meir
Baring, Godfrey (Isle of Wight
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn.W.C.B. (H'x'm
Beck, A. Cecil
Benn, Sir J. Williams (Dev'np't
Benn, W. (T'w'r' H'ml'ts,S.Geo
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, J.H. (Essex, Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordsh.
Brace, William
Bramsdon, T. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh)
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Buxton, Rt.Hn.Sydney Charles
Byles, William Pollard
Cairns, Thomas
Causton, Rt.Hn.RichardKnight
Cawley, Frederick
Chance, Frederick William
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Sir Wm.J.(S.Pancras,W
Cooper, G. J.
Corbett, C. H. (Sussex,E.G'st'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Cross, Alexander
Crossley, William J.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Delany, William
Dickinson, W.H. (St.Pancras,N
Dickson-Poynder, Sir John P.
Dolan, Charles Joseph
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E.Martin (Wals'l
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gardner, Col.Alan(Hereford,S.)
Gibb, James (Harrow)
Ginnell, L.
Gladstone, Rt.Hn.Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hardie, J.Keir (MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R.L. (Caithn'ss-sh
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M. (Aberdeen, W
Henry, Charles S.
Herbert, Colonel Ivor (Mon.,S.
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Idris, T. H. W.
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Kearley, Hudson E.

Kekewich, Sir George
Kennedy, Vincent Paul
Kencaid-Smith, Captain
King, Alfred John (Knutsford
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Levy, Maurice
Lough, Thomas
Lundon, W.
Lupton, Arnold
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Crae, George
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Masterman, C. F. G.
Meagher, Michael
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Charles N. (Donc'r
Norman, Henry
Norton, Capt. Cecil Wiillam
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Malley, William
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearson, W. H. M. (Suffolk, Eye
Philipps, Col. Ivor (S'thampton
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Price, Robert John (Norfolk, E
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rowlands, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland
Samuel, S. M. (Whitechapel)
Scott, A. H. (Ashton-under-Lyne
Seddon, J.
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Soames, Arthur Wellesley
Stanger, H. Y.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thompson, J. W. H. (Somerset, E
Thorne, William
Tomkinson, James
Trevelyan, Charles Philips
Ure, Alexander
Ward, W. Dudley (Southamp'n
Wason, Eugene (Clackmannan
Wason, John Cathcart (Orkney
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williamson, A.
Wills, Arthur Walters
Wilson, Hn. C. H. W. (Hull, W.
Wilson, Henry J. (York, W.R.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord (Norfolk, Mid)

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Balfour, Rt. Hn. A. J. (City Lond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt. Hon. Victor C. W
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.
Chamberlain, Rt. Hn. J. A. (Wor.
Coates, E. Feetham (Lewisham)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.
Craig, Captain James (Down, E.
Dalrymple, Viscount
Davies, David (Montgomery Co.
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hills, J. W.
Hunt, Rowland
Kennaway, Rt. Hn. Sir John H.
Kenyon-Slaney, Rt. Hon. Col. W.
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Rt. Hn. Walter (Dublin, S)
Lowe, Sir Francis William
Magnus, Sir Philip
Marks, H. H. (Kent)
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
Pease, Herbert Pike (Darlingt'n
Percy, Earl
Randles, Sir John Scurrah
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East
Smith, F. E. (Liverpool, Walton
Stanley, Hon. Arthur (Ormsk'k
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Thomson, W. Mitchell-(Lanark)
Turnour, Viscount
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

*Mr. STEWART-SMITH (Westmoreland, Kendal) said that the object of his Amendment was to bring under the operation of the clause agreements which contained no express provision as to rotation of crops. The section as drawn applied to agreements in which the mode of cultivation was expressed, but in a number of cases there was no express mode of cultivation provided for, and the law in such cases implied an agreement by the tenant to cultivate in a reasonable manner, in accordance with the custom of the country. The principle of the clause ought to apply whatever the form of the tenant's agreement might be. There was a special reason why this clause should be clear, viz., that its provisions would have to be considered by lay arbitrators who had had no legal training. If they had to decide whether a particular agreement did or did not come within the section, and legal arguments were addressed to them, they might get puzzled and do injustice to one party or the other. He begged to move.

Amendment proposed—

"In page 2, line 30, after the word 'notwithstanding,' to insert the words 'any custom of the country or.'"—(*Mr. Stewart-Smith.*)

Sir EDWARD STRACHEY accepted the Amendment.

Sir FREDERICK BANBURY said he was surprised that the Government had accepted this Amendment without giving any reason. What was the Amendment? The clause said that no landlord might make any agreement with his tenant, and that no tenant might make any agreement with his landlord. But apparently the hon. Members who drew the Bill had forgotten that in many parts of the country no agreement existed at all. The farms were managed according to the custom of the country. It was not a good way to manage a farm, but in some parts of the country such was the confidence of the landlord in the capacity and integrity of his tenant, that he let the farm without any agreement at all. Hon. Gentlemen had just found this out, and so anxious were they to prevent a tenant entering into an agreement with his landlord that they said, "Oh, if he has no agreement, and what he has done is to accept the word of his landlord and take the farm on a mutual understanding without anything in writing, we will not allow that; we will not put him under what we understand to be the custom of the country." He did not know how many counties there were in England, but he knew that in every different county there was a different custom. The custom of the country was regulated by the soil and the climate, and in every county in England there was a different custom, and now hon. Gentlemen, knowing nothing about the custom of the country, were going to put in words to the effect that the custom of the country should be voided. They had heard a great deal about the capabilities of the farmers to farm the land, and it was said that the farmer knew better than his landlord. Why then could they not leave the farmer to make his own agreement with the landlord and to make his own arrangements? But hon. Members would not do that. They said that there should be no agreement. Until we had a Democratic Parliament, he had thought that we lived in a land of freedom, but now the country appeared to be in an age of tyranny, because nobody must make an agreement unless hon. Gentlemen agreed with it. Hon. Members seemed to suggest that whatever the custom of the country had been for 200 years they were coming down to tell the tenant what he should do. If the business of the country was to be managed on those lines he was sorry for the country, and he was sure that it would not be the tenant farmers who would be thankful for this Amendment. They might say, although he could not admit it, that there was something for them in the Bill, but that would not be the final verdict when they knew that they were to be told, "You may not adopt a form of agreement unless it contains the terms I tell you to agree to."

Mr. WALTER LONG inquired why the Government had accepted this Amendment, because although he had a very considerable acquaintance with the subject he had not the slightest idea of what hon. Members meant to provide by it. What was the hon. Member's own explanation? It was that in many counties farms were held without agreement, but that while in many parts farms were held without agreement the custom of the country prevailed. His hon. friend who had just sat down had said that in every county in England there was a separate custom, but he might have gone further and said that in many counties there were different customs, because the cultivation of a farm in different districts depended upon different circumstances. But the hon. Member who belonged to the legal profession and who had taken so large a part in promoting this Bill, and would take the greater part of the profit, did not explain what the Amendment meant. He was sure there was a rosy prospect before the lawyers, but for no one else.

*MR. STEWART-SMITH said the right hon. Gentleman did not understand him. He said that where there was no distinct provision as to the rotation of crops the custom of the country was by law imported into the agreement between the landlord and tenant.

MR. WALTER LONG said that those who had some knowledge of this question knew that the custom of the country prevailed in many places, but in a part of the Kingdom the custom of the country was not enforced unless it was embodied in an agreement. In the custom of the country however, nothing operated at all except the necessary condition for good husbandry, but the meaning of this Amendment was that if a tenant farmer did that which according to all rules of husbandry was bad, he was to be given compensation for wrongly cropping his farm. He wanted to know why the Government had adopted this Amendment without one single word of explanation, and what was the effect of it. He submitted that the incorporation of this Amendment would be to the considerable injury of the farmer where neither agreement nor custom existed. In his part of the country there were many cases where there was no agreement and nothing operated in determining the tenancy but good husbandry. That was the custom of the country. If the right hon. Gentleman was going to lay it down that where a farmer cropped freely but not in accordance with the principles of good husbandry he was to get the benefit, he would do great injury. They had been told that this Bill had to be carried through certain stages by a certain time. He did not know why it should be carried through at all. Nobody had asked for it. The Government had added it to the burden of the legislation they were pledged to carry, but neither the Opposition nor the followers of the Government had asked for it. He contented himself now with asking the Government to tell them why they had added to the Bill this addition which did not improve it, but which would be extremely injurious to the small farmers.

MR. HALDANE said the question asked by the right hon. Gentleman was very simply answered. The right hon. Gentleman had used the word "custom" in two senses, and this clause applied to the first sense in which he had used the word—the sense which the law recognised where the farm was let by a custom which was equivalent to an agreement. The clause was completed by the insertion of the words of his hon. and learned friend. There was another sense in which the right hon. Gentleman used the word "custom," the sense in which it meant not a custom equivalent to an agreement but a condition of good husbandry. The protection of the landlord against bad husbandry was found in the second part of the clause, which said that if a man excercised his powers to the injury or deterioration of the land he was liable to damage. The right hon. Gentleman agreed.

MR. WALTER LONG: Yes.

MR. HALDANE: Then that is the answer to the question of the right hon. Gentleman.

COLONEL KENYON-SLANEY asked the House to imagine the position of a tenant farmer who had just listened to the explanation of the right hon. Gentleman. He had to make up his mind to two readings of the word "sense" and three readings of the word "custom." Anything more hopeless for a bucolic mind to understand it was impossible to imagine. Let him put the case of an ordinary transaction from the agricultural point of view and see how it bore on the Amendment.

MR. FLAVIN was understood to say. "Put it from Horne's point of view."

COLONEL KENYON-SLANEY said that if the hon. Gentleman would cease from his rude and vulgar interruptions they might get on faster. [Interruption and ironical cheers from the IRISH Benches.]

MR. AUSTEN CHAMBERLAIN appealed for protection for the speakers on the Opposition side of the House. He hoped an appeal to the Chair would secure a fair hearing to hon. Members.

MR. FLAVIN explained that all he said was that putting it from the tenant's point of view, was putting it from Horne's point of view, and he had nothing to withdraw.

*MR. DEPUTY-SPEAKER said he did not hear the interruption, but he would appeal to hon. Members not to interrupt hon. Members who were in possession. The expression used by the right hon. and gallant Gentleman was not in order and should be withdrawn.

COLONEL KENYON-SLANEY said he would put the case of a very common transaction.

*MR. DEPUTY-SPEAKER said he hoped the right hon. Gentleman would withdraw the expression he had used.

COLONEL KENYON-SLANEY: Certainly, Sir, I will if you wish it, but it was a peculiarly offensive expression and intended a personal insult to myself. If you, Sir, had heard the interruption and understood the allusion you would have backed me up.

MR. FLAVIN: The right hon. Gentleman may take it how he likes.

COLONEL KENYON-SLANEY: That is the way I take it. The right hon. Member continuing, said he would put a very ordinary transaction. A man purchased a 100-acre farm for which he paid £2,000. He was looking about for a tenant for that farm. Those who knew anything about letting farms to-day knew that the ordinary capital of a man taking a 100-acre farm, would not be more than about £4 an acre. Let them assume that £2,000 were invested in the farm, the owner of the land having £1,500 and the tenant, say, £500, and that the landlord tried to make an agreement for a tenancy. Hitherto he had been able to rely upon the arrangement made under his agreement with the tenant, but that would be stopped by this clause. Being forbidden to make any ordinary arrangements, what protection would the landlord have for his capital? Up to the present he had relied upon the custom of the country, and that had been his principal safeguard. The result would be that owners would not purchase land, or else they would use the land for their own purposes. By this clause the Government were doing the most pernicious thing in the interests of the smaller type of tenants. They were depriving the landlord of his natural security and diminishing any inclination he might have to invest money in his land.

MR. ABEL SMITH said he had listened to the explanation given by the right hon. Gentleman on the Treasury Bench, but he confessed that he did not understand it. He should like some hon. Member who had had experience of agricultural affairs to explain to the House what benefit such an Amendment as this could possibly be to the tenant farmers. The whole of the transactions for the letting and hiring of land depended upon the customs which had grown up to facilitate the letting and hiring of land on reasonable terms, not only for the benefit of the landlord and tenant but also for the benefit of the whole community. A man went into a farm upon certain terms, and when his tenancy came to an end he should go out on something like the same sort of terms, and allow his successor to come in on the same terms as himself. This had been the custom for many generations past, and it was necessary to have some such mutual arrangement as that which had gradually grown up, and which had proved to be for the general benefit and not for the benefit of any particular party to the transaction.

*MR. COURTHOPE thought the Government hardly realised what they were doing by accepting an Amendment of this kind. Did they recognise that the custom of the country was in favour of the tenants? What sort of condition would a new tenant find a farm which he took under the proposal now before the House? Where would the outgoing tenant get compensation? By the custom of the country the outgoing tenant was entitled to compensation for certain improvements, and by the custom of the country certain crops and manures had to be left on the farm. This was for the benefit of the incoming tenant, because he had not to make any great outlay, and he got certain things at the consuming price, which was much less than market price. He thought the Government ought to hesitate before they imposed a proposal like this upon the country. The first subsection of the clause concluded with the words "provided he shall have made adequate provision to protect the holding from injury or deterioration." How was that to be decided? It was no use a valuer going on to the land in October to find out what compensation was due, because he would have to satisfy himself that the farm had been farmed in accordance with the custom of the country. The hon. Baronet in charge of the Bill knew how fruitless it was to endeavour to estimate the state of cultivation on a farm by going over it after the harvest. He knew that the only test that could be applied was custom, and the law courts had always held custom to be the proper way of testing whether or not a farm had been properly cultivated. A well-known case had been decided on the ground that regard must be had to the custom of the country in such matters, and by this clause they were sweeping all that away. What test did the Government propose should be applied to find out the position of the farmer? What was the use of sending a man to walk over a lot of naked acres in the autumn? That would tell him absolutely nothing. The system now in force had been recommended by centuries of experience, and it was now being swept away by the thoughtless acceptance of an Amendment which had been moved by an hon. Member who knew nothing whatever about the question from an agricultural point of view.

Mr. WILLIAM RUTHERFORD said they ought to be very grateful to the Secretary for War for his very lucid explanation as to the two senses in which the word "custom" might possibly be used. The right hon. Gentleman however, did not explain in which of the two senses he would interpret this clause. The Amendment which had been sprung upon the House; was not a part of the Bill which was discussed for nine days in the Committee, it had simply been suggested by an hon. Member, and adopted at the last moment by the Government. It raised most important and serious points entirely outside the scope of the measure originally submitted to the House. Although in almost every other walk of life two men could make an agreement which would be held to be sacred, that right was not to be allowed in regard to the farming of land. The agreements now in force were to be entirely abrogated, and the landlord was to be deprived of his power to enter into agreements with his tenants. There were sometimes clauses in a lease which were favourable to the tenant, but these were now to be ruthlessly torn asunder. At the bidding of a private Member this point was to be carried a step further. Not only were the contracts entered into to be torn up, but they were also setting aside the accumulated experience of generations, all of which was included in the words "the custom of the country." Under those circumstances what kind of cultivation were they to expect in the future from the tenants, and what sort of behaviour would they get from landlords? He protested against this measure after two o'clock in the morning being vitally altered by the Government, for it meant that the whole custom of the country as applicable to farming was to be ruthlessly cast aside. He hoped the House would decide that that was not the sort of thing they ought to accept, and he appealed to the common-sense of hon. Members to declare that it was a practice which could not be indulged in by the Government.

*Mr. EVERETT (Suffolk, Woodbridge) said he had listened with amazement to the utterances of hon. Members opposite. The object of this particular Amendment was simply that all holdings under whatever conditions of tenure should be subject to the provisions of this clause. If they were hired under some definite arrangement to crop in a certain way this clause was to be applied, and if they were hired under the custom of the country this Amendment applied and the clause would be equally applicable to such hires.

Viscount TURNOUR said he understood the hon. Member for Woodbridge to say that the object of this Amendment was to bring all holdings under the Bill. It appeared to him that the effect would be very different from what the hon. Member supposed. It would not only bring all agricultural holdings under this clause, but it would interfere with holdings which were subject to the custom of the country. In Sussex every tenant farmer would look upon the Amendment with the greatest apprehension because it was a violent interference with both landlords and tenants. If it had been accepted by any hon. Member opposite instead of by the Government he should have said that he was demented, because it was being adopted without any reason. The Secretary for War in an extraordinary legal argument, which he was unable to follow, had gone into the whole question of contract, but he had mentioned nothing of the inconvenience of this Bill to tenant farmers. He did not believe that the right hon. Gentleman had a very wide acquaintance with the holding of land; the President of the Local Government Board would be a better man to put in charge of the Bill, because he did know something about Battersea Park.

MR. WYNDHAM said two hon. Members who had special knowledge of Sussex had stated that this Amendment would be incomprehensible in that county. It was because this was a proposal to take the control of agriculture out of the hands of the landlord and put it into the hands of the tenants that the people of Sussex considered it a bad one. The Secretary of State for War, instead of amending the Amendment, criticised the speakers for using the word "custom" in two senses. He had pointed out that it might mean something equivalent to an agreement, and, on the other hand, that it might mean no more than habits which were customary. He said that, of course, he meant the first. Did not the words of the clause as they stood include the custom of the country which was implied in law under any agreement? He was not a lawyer, and perhaps he was not capable of seizing these fine points. He had always been told that they could make no greater mistake in legislation than to put in words which were surplusage. Words which might be subject to various interpretations gave rise to many disappointments and much expense. Words which the promoters of the Bill never intended to be brought into litigation, but to be a guide to landlord and tenant, should be of such a character as to be easily understood even in "silly Sussex." If these words were surplusage they ought not to be in the Bill.

SIR W. ROBSON said the right hon. Gentleman did himself an injustice when he indicated that he found these words mysterious. In the course of his argument he had shown that he understood them. Let him remind the House what the section was in which it was proposed to insert these words. It was that notwithstanding the provisions of any contract of tenancy or agreement respecting the mode of cultivation, cropping, or disposal of produce, freedom of cropping should apply within the limits prescribed by the section. The object of the section was to secure freedom of cropping. Anybody would agree with the right hon. Gentleman that it was desirable that the wording of every Act of Parliament should be clear, and he thought no one would deny that the ordinary lay arbitrator reading these words might well suppose that he was not to go beyond the provisions of the contract. But a tenant might be no less seriously restrained by the custom of the country which was applicable in matters to which the contract did not expressly apply. If they were going to give him freedom of cropping at all, and release him from the provisions of any contract, they must apply the same principle to the custom of the country. That was the reason for these words. He would remind the House how the discussion was initiated by the right hon. Member for South Dublin.

MR. WALTER LONG: I said I was not concerned to oppose this clause, and that I was not going to stand between the Government and their bad work.

SIR W. ROBSON: I understood the right hon. Gentleman to say that he was not going to vote against the clause.

MR. WALTER LONG: I did not use the word "vote" at all.

SIR W. ROBSON: What the right hon. Gentleman said was that he was not concerned to interfere or oppose it; he was only concerned to discuss it.

Mr. WALTER LONG: The hon. and learned Gentleman if he takes an interest in my views might represent them accurately. I endeavoured to make myself perfectly clear. I was discussing this Amendment on its merits, and I said it was not my business to interfere between the hon. and learned Gentleman and his attempt to pass this bad and mischievous Bill.

Sir W. ROBSON: If the right hon. Gentleman has made anything clear it is that my statement was perfectly correct. The right hon. Gentleman had now repeated that it was not his business to protect the tenant. Why had not the tenant as much right to be protected as the landlord? The right hon. Gentleman's words seemed to him to be in the highest degree significant.

Mr. LANE-FOX reminded the hon. and learned Gentleman that if there was one man in the country to whom the tenant farmers could look with thanks for the protection they now enjoyed it was the right hon. Member for South Dublin, because the greatest benefit which they had received in modern times was from the Agricultural Holdings Act, which the right hon. Gentleman was instrumental in passing. The tenant farmers were thoroughly grateful for that, and they would not be led away by what the Solicitor-General had said. He was sorry that the hon. and learned Gentleman had taken the position he had just assumed, because he had been going to thank the Solicitor-General for his courteous explanation of the clause and of the meaning of the Amendment. But there was one thing which the hon. and learned Gentleman had not made clear, and that was in what part of the country the custom of the district was depreciative of good husbandry. He thought the House ought to thank the right hon. the Secretary of State for War for his kind and courteous intervention in the debate—[Ministerial cries of "Agreed"]—and in taking charge of the Bill at a rather critical stage. [Ministerial cries of "Agreed" and "Divide."] He would remind hon. Gentlemen who did not want to go home to bed that their interruptions did not make it any easier but more difficult for him to get on with his remarks. The difficulty he found in discussing the Amendment was that he did not quite see how they were to oppose it, if they were going to allow the tenant to be absolved from the express terms of his contract of tenancy or agreement, and he was not to be bound down by the custom of the country. But when he heard the more definite explanation of the Solicitor-General as to what the exact effect of the Amendment was he could judge better as to its meaning.

Mr. CLAVELL SALTER (Hants, Basingstoke) said he was sorry that this matter had degenerated into a somewhat legal and technical discussion. He would be very much interested to know whether the right hon. the Secretary for War and the Solicitor-General considered this proposed Amendment surplusage or not. It appeared to him that the words either meant nothing at all or that they made a very serious and mischievous alteration in this subsection. If they were dealing with a legal and provable custom in the district, and the landlord and tenant had made an express bargain without referring to that custom, he asked whether they were bound by that express contract or by the custom of the country. Why should the tenant not only be released from his express bargain but from the implied promise to his landlord and to his neighbours that he would farm according to the custom of the country, which by immemorial experience had been found to be the best method of cultivating land in that district? If a man had made an express contract he would not under the section as it stood be released from the custom of the country. He thought, without professing to be expert in these matters, that if a hasty hand was laid on these customs there would be widespread discontent among farmers.

Captain CRAIG (Down, E.) wished to pass from the highly technical part of the discussion to what was of more importance, the practical point of view. The discussion had so far related to landlords and tenants, the custom of the country and the way in which it affected those two classes, but it also had an effect between tenant and tenant and the buyers and sellers in the towns and villages. The House had had sprung upon them a proposal for the abolition of ancient customs, which prevailed not only in every county but in every market town in every county. The disposal of a standing crop of oats or potatoes required a knowledge of the custom of the country in which the crop was situated, and if these ancient customs were dealt with without proper consideration it would be a matter to be deeply regretted. In regard to some of the various customs of the country it was almost impossible for hon. Members to realise fully the far-reaching consequences of the simple words which had been moved. For instance, in the case of a bargain in regard to an important crop of flax, from the sowing of that crop until its final disposal in the market, the dealings in it were merely a matter of word of mouth; there would probably not be a single document, except perhaps a nine months bill. He for one should certainly vote against the Amendment, which he thought would be absolutely unworkable; the effect of it would be to impose very heavy penalties upon the buyer as well as upon the seller, not only in the case of flax but in the case of oats.

Question put.

The House divided:—Ayes, 203; Noes, 61. (Division List No. 400.)

AYES.

Abraham, William (Cork, N.E.)
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Astbury, John Meir
Baring, Godfrey (Isle of Wight)
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. H. (Eastbourne
Beaumont, Hn. W. C. B. (H'x'm)
Beck, A. Cecil
Benn, Sir J. Williams (Devon'pt
Benn, W. (T'w'r Hamlets, S. Geo
Bennett, E. N.
Bertram, Julius
Bethell, J. H. (Essex, Romford)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Brace, William
Bramsdon, T. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Causton, Rt. Hn. Richard Knight
Chance, Frederick William
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W
Cooper, G. J.
Corbett, C. H. (Sussex, E. Grin'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crossley, William J.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Delany, William
Dickinson, W. H. (St. Pancras, N.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gardner, Col. Alan (Hereford, S
Gibb, James (Harrow)
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Goddard, Daniel Ford
Grant, Corrie
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, Colonel Ivor (Mon., S.
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Idris, T. H. W.
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonsh.)
Kekewich, Sir George
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Levy, Maurice
Lough, Thomas
Lundon, W.
Lupton, Arnold
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Crea, George
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Meagher, Michael
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Charles N. (Donc'r)
Norman, Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid.
O'Brien, Patrick (Kilkenny)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs., Leek)
Pearson, W. H. M. (Suffolk, Eye)
Philipps, Col. Ivor (S'thampton
Pollard, Dr.
Price, Robert John (Norfolk, E.

Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Richards, Thomas (W.Monm'h
Richards,T.F. (Wolverh'mp't'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rowlands, J.
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott,A.H(Ashton-under-Lyne)
Seddon, J.
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Soames, Arthur Wellesley
Stanger, H. Y.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Thomas, Sir A. (Glamorgan, E.
Thompson, J.W.H. (Somerset E
Thorne, William
Tomkinson, James
Ward,W.Dudley (Southampt'n
Wason, Eugene (Clackmannan
Wason, John Cathcart (Orkney
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitely, J. H. (Halifax)
Williams, J. (Glamorgan)
Williamson, A.
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord (Norfolk,Mid

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood,Rt.Hn.Sir AlexF
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Balfour,Rt.Hn.A J.(City Lond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bull, Sir William James
Carlile, E. Hildred
Castlereagh, Viscount
Cavendish,Rt.Hon.Victor C.W.
Cecil, Lord John P. Joicey-
Chamberlain,Rt.Hn.J.A. (Wor.
Coates,E.Feetham (Lewisham)
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig,Charles Curtis (Antrim,S.
Dalrymple, Viscount
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Helmsley, Viscount
Hills, J. W.
Hunt, Rowland
Kenyon-Slaney,Rt.Hn. Col. W.
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lockwood,Rt.Hn.Lt.-Col.A. R.
Long,Rt.Hn.Walter (Dublin,S.
Lyttleton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Morpeth, Viscount
Nicholson, Wm.G. (Petersfield)
Pease, Herbert Pike (Darl'gt'n
Percy, Earl
Randles, Sir John Scurrah
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H.(Hertford, East
Smith,F.E. (Liverpool, Walton
Stanley, Hon.Arthur (Ormsk'k
Starkey, John R.
Turnour, Viscount
Valentia, Viscount
Wilson,A.Stanley (York,E.R.)
Wortley, Rt. Hon. C. B. Stuart
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Mr. Staveley-Hill and Mr. Craig.

*MR. COURTHOPE moved to insert the word "future" after the word "any," so that the clause should not apply to contracts now in existence. He thought the hon. Baronet the Member for South Somerset would agree that an extraordinary amount of hardship would be inflicted if this Amendment was not accepted, and that hardship would not fall upon the landlord so much as upon the tenant. Anyone who had had experience of large estates knew that there were many tenants who were not good farmers, whom the landlord was willing to keep on out of kindness of heart as long as he had sufficient safeguards to prevent their doing serious injury to the holdings. Under this clause there would be no course open to such landlords but to get rid of this class of tenants, and even if the landlord had to pay compensation, it would be better for him to do so rather than risk the ruin of his land and the destruction of the productive qualities of the soil by allowing it to be held by men whom he could not trust. Under this clause nobody would be able to tell exactly how a holding had been cultivated, because the custom of the country would no longer operate. Many of the class of tenants to which he had referred would not find it possible to obtain holdings elsewhere, and it was to prevent those tenants being displaced that he asked the hon. Baronet to prevent this clause being made retrospective. Let the clause apply to agreements drawn up in the future and not to those which were already in existence.

MR. WILLIAM RUTHERFORD seconded. At the present moment it was the rule to arrange for tenancies of considerable length, but it must be obvious to every hon. Member that they would never have any long lettings of land under this Bill. Under the provisions of this clause no landlord would let his land for more than a year, and he would be sure to adopt a summary method of getting rid of his tenants. The clause would strike a blow at fixity of tenure, and freedom of contract was to be interfered with. It would also apply to existing contracts, which would be ruthlessly torn up, and the custom of the country was to be set at naught. He thought the House ought to attempt to do something to mitigate the harshness of the clause. He was surprised that the Government had not insisted upon inserting an Amendment such as the one they were now considering, and which he begged to second.

Amendment proposed—

"In page 2, line 30, after the word 'any' to insert the word 'future.'"—(*Mr. Courthope.*)

Question proposed, "That the word 'future' be there inserted.'"

SIR EDWARD STRACHEY said he was sorry to have to make the same answer as he had made in regard to a previous clause. He did not see that it would be right to take away the advantage of this clause from a very large body of tenants. Why should all the present tenants receive no benefit from the clause? The Central Chamber of Agriculture supported the proposal. There was also a provision which would bring bad tenants to book, and a tenant was not likely to do anything which would damage his holding, because his landlord could give him notice and then he would lose all the advantages under this clause.

MR. A. J. BALFOUR thought if the hon. Baronet would reflect he would see that there was a good point in this Amendment. At the present time the landlord in selecting a tenant felt secure that no injury would be done to his land whatever the experimental ingenuity of the tenant might be. If they changed the law a landlord might find himself with a tenant who might indulge in expenditure which neither good agriculture nor experience would show to be of a kind that could be indulged in without permanent injury to the holding. How could that landlord safeguard himself? He did not think that existing contracts should be torn up without a very strong reason. The hon. Baronet had stated that all the landlord would have to do was to say next year that the tenant must bring back his farm to its natural condition, but that was hardly the case. In this instance there was no great public necessity, and in addition there was the possibility of individual hardship.

MR. HALDANE said the right hon. Gentleman had argued that it was contrary to general principle to apply a change of this kind to existing contracts. There were a great many cases in which that was true, but what was being dealt with here was the relation of landlord and tenant, and that question had already been the subject of a great deal of legislation with which this House was familiar, and it had been dealt with retrospectively. It was found in a case like this that the stringency of the existing restrictions on freedom of cropping were bad for the community and prejudicial to the general interests. What was proposed by Clause 4 was to make a change which would apply to the existing state of things in the interests not merely of the individual tenant but of the community generally, and there was substituted for the protection which the rigid contract gave the provisions of subsection (2) of this clause. Therefore it was in conformity with precedent as the change was being made in the interests of the community.

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) said this was a clause which might be called "Encouragement of the bad tenant." If there was one clause in the Bill which would encourage bad farming more than any other it was this one. The right hon. Gentleman had argued that it was for the good of the community that the land should be well farmed, and that was exactly why this Amendment had been moved. The landlords did not want the land wasted by bad tenants, and, therefore, they made certain stipulations in the contracts.

MR. DEPUTY-SPEAKER said the question was whether the clause should apply to any contract or agreement respecting cropping.

VISCOUNT HELMSLEY said he expected that ruling. He was only answering the argument used by the right hon. Gentleman.

MR. DEPUTY-SPEAKER: The right hon. Gentleman was pointing out that contracts were sometimes interfered with for public purposes.

VISCOUNT HELMSLEY said he was arguing that it was for the good of the community that the clause should refer only to future contracts. If it referred only to future contracts the landlord could do something to protect his land for the good of the community, in letting a farm, he would have regard to the past record of the incoming tenant in the farming world. It was all very well to say that the land would be well farmed, and that plenty of provision had been made to ensure that the farmer carried out his work under a proper system of husbandry, but, after all, the people who would take advantage of this clause under existing and future tenancies were the bad farmers who went about from place to place, taking farms as often as they could, and extracting as much as they could out of the land. To say that the landlords of these farms would be amply protected by the provisions later on in the clause was to say something which he did not think could possibly be maintained. There were more yearly leases than any other kind, and, after all, it was not such a big thing to ask that the clause should apply only to future contracts. The contracts would be reviewed at the end of the year, and both landlord and tenant would know where they were and could make arrangements for themselves. Landlords and tenants were not fools. They both knew their own business, and would be able to arrange their affairs mutually. If they knew what the wish of the Legislature was, as expressed by this clause, no hardship would be inflicted on anybody. What would be the position of a landlord with a farm let on long lease with perhaps twelve or fourteen years to run? Having made a contract to ensure good husbandry, he would find it suddenly broken by legislation, and a worthless form of compensation substituted. He would be expected to get that compensation out of a tenant who had ruined both himself and the land by bad farming. The hon. Baronet in charge of the Bill had taken great credit for putting on the Paper an Amendment in regard to the value of manures and feeding stuffs. He himself moved that Amendment in Committee and it was not accepted. There could be no doubt that if the word "future" was not inserted in the clause very great hardship would be done in the case of existing tenancies and the bad farmer would be encouraged.

*MR. MUNRO FERGUSON said he could not see that, in regard to yearly tenancies, the question of applying the clause to existing contracts was not a very important one. Where there were longer leases it no doubt became important. He very much doubted whether they could give freedom of cropping on a farm which was going out of lease next year, and restrict freedom of cropping on the farm next door for nineteen years. If they gave freedom of cropping at all they must apply it to all farms at the same time. He admitted that under this clause there might be a tendency to shorten leases, and to have yearly tenancies instead of a nineteen years tenure with a break. After all, the system of leases was supposed to be generally to the advantage of the tenants. The tenant farmers of Scotland had not raised any objection to this clause, and he thought rightly. The clause was on the whole right, and it should apply to existing leases.

COLONEL KENYON-SLANEY said it would be a great injustice to break existing contracts in the manner proposed. Those contracts had been entered into by landlord and tenant for their mutual advantage. The argument of the hon. Baronet, who was supposed to represent the Board of Agriculture, and to see fair play between the two parties, was apparently that the Government did not see how they could in any way withhold the advantages which would accrue to the tenants from breaking the existing arrangement or agreement. If that were so, it surely must be to the disadvantage of the landlord. That was neither business nor fair play. The Government ought to hold the balance evenly between the two parties.

SIR FREDERICK BANBURY sincerely hoped the House would accept the Amendment of his hon. friend. With all due deference to the Secretary of State for War he would point out that practically no legislation hitherto passed by this House had ever been made retrospective. The Ground Game Acts respected current leases. He knew that an hon. Gentleman opposite had said that the Agricultural Holdings Act of 1900 was retrospective, but he had conclusive proof that it was not. He would go further and ask what legislation breaking contracts had ever been passed which was retrospective? He believed that there had been a precedent in Ireland, but it had been very disastrous. He believed there had been no such case in regard to England. He submitted that this question, involving the maintenance of the sanctity of contract, was very important. The hon. Baronet had said that it would be impossible to accept the Amendment, because, if they did, certain advantages which it was proposed to give to the tenant farmers could not be conceded. What was the position? Here were contracts on which the whole of our social system depended, and by this clause one of the parties to those contracts was to be released from their binding nature. If that held good in this instance, the whole of the security of contracts on which civilisation depended fell to the ground. Rather than agree to that he would support the hon. Gentlemen below the gangway, because with Socialists they knew where they were, and to adopt their principles would ruin the country. Under this Bill, however, they were insidiously advancing step by step towards what hon. Gentlemen below the gangway would give at once. He could hardly find words strong enough to express his objection to this clause. The hon. Gentleman opposite had said that all the agreements under the Ground Game Acts were yearly, and that those yearly agreements were to be observed. It was true that the landlord would be able to enter into possession if the agreement were broken; but if no security was to be given for the maintenance of the sanctity of existing contracts there would be some temptation to invest money in land, not in England but abroad. Nobody would then be more disadvantaged than the tenant farmer here, and even the hon. Gentlemen below the gangway. As it was now four o'clock in the morning, he really thought they were not in a fit state to discuss such an important measure as one involving the breaking of contracts, and therefore he begged to move that this debate be now adjourned.

The Motion was formally seconded.

Motion made, and Question proposed, "That this debate be now adjourned."—(*Sir Frederick Banbury.*)

MR. A. J. BALFOUR asked if the Government were willing to adjourn. [Loud MINISTERIAL cries of "No."] His hon. friend was certainly justified in saying——

MR. FLAVIN asked, on a point of order, whether the Question had not been put from the Chair.

*THE DEPUTY-SPEAKER said that technically the Question had not been fully put.

MR. A. J. BALFOUR said that the hon. Gentleman might have a perfect right to object to the Motion, but such a Motion had been put on similar occasions frequently in Parliament, and discussion had followed thereupon. He did not remember such a prolonged sitting as the present on which more Motions for the adjournment of the House had been made. He thought the Government had taken a most disastrous course; and he did not see the smallest reason why the House should be asked to proceed with a matter of such importance at that hour in the morning. As regarded the discussions of Clause 4 he did not think they had been unduly prolonged and certainly they had been of great importance. Was it reasonable, or rather he would say was there sufficient reason why they should put themselves to the trouble of carrying on this debate any further? Why should they carry on the debate at this unhappy hour? It was unhappy on two or three grounds. First of all, because the House had decided not to sit after eleven o'clock. It was now five hours after that time. He did not, of course, deny that there were circumstances under which the Government had no choice but to pass legislation under these deplorable circumstances. But no Government thought it good either for legislation or for the

House of Commons to pursue such a course. Every Government thought it was a hard course for them to have to pursue. Was there any necessity for taking it on the present occasion ? [Cries of "Yes.'] The only reason which had yet been urged, and that had been given not by the Prime Minister but by the Patronage Secretary of the Treasury, was that if they did not finish the Bill by to-morrow night they might have to sit till Christmas. It was impossible to regard that as a serious argument, and before the Opposition acquiesced in it they ought to have before them some general scheme of the Bills which the Government desired to pass during these sittings. At any rate, it was quite impossible to believe that the few hours in which they had been engaged in this matter made up for the loss of discussions in Committee. It must be admitted that so far no pressing or overwhelming necessity had been shown to exist for passing this Bill—which was not a Government Bill, was not mentioned in the King's Speech, was not mentioned in the list of measures which were to be taken at the autumn sittings, and had been brought forward quite unexpectedly. They wanted to know what was the reason for pressing such a measure in this unprecedented manner ? It was pretended that this Bill was much admired on the other side of the House, but it could not claim any admiration in regard to either its statesmanship or its draftmanship. Under those circumstances it appeared to him that it required special consideration, and that that consideration should be given in the hours of daylight and not in the small hours of the morning. He did not lay down the proposition that the House should never discuss anything at that hour in the morning; it was impossible to lay down such a rule, but it should only be done in cases of overwhelming necessity. He appealed to the common sense of right hon. and hon. Gentlemen opposite and to their desire to conduct the business of the House with decency and decorum to say whether such a proceeding was justifiable, and whether they should be called upon to debate a question of this sort under such circumstances as would not allow them to debate it properly and at a time when people outside the House could judge of the debate. He appealed to right hon. Gentlemen opposite to abandon a policy which he did not think advanced Government business and which he was sure was detrimental to the best interests of legislation.

MR. HALDANE said the right hon. Gentleman had spoken as if this Bill was being pressed through the Report Stage with undue haste, but he would point out that somewhere about seven days had been given to the discussion of that stage.

MR. A. J. BALFOUR reminded the right hon. Gentleman that there was no Committee stage in the whole House, and it was not a Government measure.

MR. HALDANE said that in any case it was not a long Bill, although he agreed that it contained important principles in which the keenest interest was displayed. The interest which had been shown in the Bill disproved the idea on the part of the Leader of the Opposition that the Bill was not regarded as of importance by large sections of the community. It was a Bill of great interest and was so regarded by farmers belonging to both Parties. That being so what they had to consider was whether sufficient time had been given to the consideration of the Bill, and in his view ample time had been afforded.

MR. A. J. BALFOUR admitted it might be held that they had had discussions upon this Bill which had lasted too long, but the point they had to consider at the moment was whether it was necessary to discuss these proposals at that hour of the night and upon that occasion.

MR. HALDANE said that that question depended entirely upon the length at which the right hon. Gentleman and his friends insisted upon taking up the time of the House in stating their views. If he and hon. Gentlemen opposite would undertake that the discussion on the Report stage should be brought to an end by the next day at eleven o'clock there would be no necessity to proceed further. If the discussion, however, was not to end then, that was the justification of the Government for going on with it now. It was not the fault of the Government that the House was sitting at that hour. The Opposition had discussed this clause at enormous length. They had repeated the same arguments over and over again, said the same thing times without number, and prevented the House from coming to a decision. He did not wish to raise this question in any acrimonious spirit, and if the right hon. Gentleman was prepared to say that by eleven o'clock that night the discussion would come to a close he would be prepared to meet him. If the right hon. Gentleman did not say that, he would understand that, interested as the Government were in this Bill, they were prepared to go on.

Mr. WYNDHAM did not think the right hon. Gentleman, in opposing the Motion, would make much progress by including in his remarks a perfectly unwarranted attack upon the action of the Opposition. Those who had listened to the debate that evening would not, he thought, support the right hon. Gentleman in the charge he made. But he had some foundation for that charge. What was that foundation? It was this. The right hon. Gentleman had said arguments had been repeated over and over again. That was not quite accurate. What had occurred was that questions had been repeated. That was to say a question had been asked by the right hon. Member for South Dublin, who was qualified if anyone was to put a question on this Bill, and when unanswered that question was repeated by the Leader of the Opposition.

Mr. WILLIAM REDMOND: And sometimes by the noble Lord.

Mr. WYNDHAM said he did not propose to shorten his remarks to suit the wishes of hon. Gentlemen below the gangway. It was an exaggeration to say that arguments had been repeated. Questions had been asked, and the fact that they were not answered had been brought to the attention of the House three, four, five. so many times, that for shame's sake a Cabinet Minister was brought in to make what excuse he could for the absence of the Prime Minister. After all, the Opposition did represent some people in the country. It was an unhappy conclusion to the speech of the right hon. Gentleman, because the desire of the Opposition was not to raise any animosity in this debate. Let him bring a calm and unbiassed judgment to bear on the alternatives the right hon. Gentleman put forward. If the House consented to bring the Report stage of this Bill to a conclusion at eleven o'clock that night, hon. Members might go home to bed at four o'clock in the morning. [Cheers.] He gathered from those ironical cheers that it was supposed that the Opposition was making some personal complaint of the duress in which the Government held them; nothing of the kind. It was because they thought this Bill was an important measure that they said the alternative of the right hon. Gentleman was absurd. What did it amount to? If they took one horn of the dilemma and accepted the suggestion of the right hon. Gentleman the Bill was not to be discussed at all. If they took the other, their discussions were not to be reported, although this was a Bill which affected the whole of rural England. Everybody knew that a question discussed after three in the morning was never reported. The Government had invented a form of closure subtle indeed. The right hon. Gentleman had spoken of the merits of the Bill. If the Bill was of the important character it was supposed to be there was no ground for the action of the Government. It was a very important Bill besides being a bad one, and a Bill of such a character ought to be properly thought out and brought in by the Government of the day, and properly discussed. Let them sit over Christmas, and then let the Government bring in their own Bill. They were taking a Bill brought in by a private Member; a Bill not discussed in this House; a Bill taken up by the Government at the last moment, and then they were told it was not to be discussed. In treating the Opposition in that way the Government were acting tyrannically to the House, and they would oppose them to the last.

*Mr. MUNRO FERGUSON said the right hon. Gentleman had alluded to rural England. There was also a rural Scotland. He agreed with his right hon. friend the Secretary of State for War that the discussion upon this Bill, especially on the game clause, had been unduly prolonged, and so far as the Bill had gone he had been in almost entire agreement with its provisions. What he perceived was that one or two clauses were now coming on of a highly controversial nature. He believed the Bill was not a well drafted Bill and that it contained some ill-considered provisions. He did not think this Bill should have been adopted by the Government without being overhauled, and with regard to the position of his right hon. friend he did not think the discussion on this stage should continue until eleven o'clock that night. For that reason he should support the Motion for adjournment.

VISCOUNT HELMSLEY said the Secretary of State for War, in opposing the Motion for the adjournment, had used one of the strongest possible arguments in its favour, viz., the importance of the Bill. It was so important that it had been introduced by a private Member. The Bill was adopted by the Committee upstairs without any Minister being in attendance. He should continue to urge this point until the Government realised that the Opposition were in earnest upon this matter. They meant, that this Bill should not become law until it had been adequately discussed and considered. Clause 4 encouraged bad farming, while Clause 5 dealt with dual ownership, and they meant to fight and discuss properly both those clauses, and they were not going to be bribed by the promise of a holiday at Christmas. The procedure when the Bill was before the Committee was absurd, but the Government were now doing something far worse, for they were trying to stifle discussion by bribes to the Opposition. He thought the Government must realise that their procedure had been unfair to the Opposition.

MR. LANE-FOX hoped the Leader of the Opposition would not allow himself to be either bribed or bullied. This measure was merely part of the policy of filling up the cup and endeavouring to pick a quarrel with the House of Lords. The worse they made this legislation the better, because it would have to be altered or thrown out in another place. Let the House look at the humiliating position to which the House of Commons would be reduced. The chief merit of this Bill was that it was bad. He felt certain that the Leader of the Opposition would find a faithful band ready to support him if he refused to be either bribed or bullied.

MR. DALZIEL asked for some indication of what the intentions of the Government were. At an earlier stage in the debate he had ventured to predict that it would be a wise thing if some sort of arrangement could be arrived at with the Opposition. Everything that had happened since fully justified the view which he then took. He had risen to ask the Government whether they still adhered to the declaration that they were going on until they had passed Clause 5. [Cries of "Yes."] But did hon. Members realise what that meant? He hoped the Government in their own interests at this late hour would pay some heed to the wishes and desires of their supporters. He did not think the Government were altogether without blame in this matter. If a Cabinet Minister had been present at an earlier stage of the debate to conduct the Bill as a first-class Bill ought to be conducted, he believed its progress would have been much more speedy. If the Government knew the real view of their own supporters as to the manner in which this Bill had been conducted, they would find that what he had stated was not very far from the mark. He appealed to the Government, and asked them what they were going to gain by forcing the measure through in this way? He knew of no real urgency in the matter, for there were two or three other Bills of more importance. Personally, he was more concerned about the Small Holdings Bill for Scotland. The House had been asked to sit all night in order to advance the Report stage of this measure. The fact that this Bill was not conducted through Committee like an ordinary Government measure was of vital importance, because it came before the House practically as a new measure. He appealed to the Government to suggest a reasonable compromise in order to arrive at a fair settlement of this unfortunate matter.

MR. T. L. CORBETT (Down, N.) doubted whether there was any real enthusiasm behind the Bill, and in support of this contention he only needed to call attention to the state of the Treasury Bench, which had been deserted by every Cabinet Minister. As a contrast he would ask them to look at the front Opposition bench. The Government were now trying to force down the throat of the House of Commons a Bill which even Cabinet Ministers did not trouble to come down to support either by voice or vote.

Colonel KENYON-SLANEY said that at the commencement of this debate they were working together harmoniously, and there was every prospect of getting on at a reasonable pace, until the unfortunate intervention of the Patronage Secretary. They were told that if they did not pass Clauses 4 and 5 they would have to come back after Christmas. That was not a fortunate intervention and it had been the cause of a great deal that had happened since. That threat was still hanging over their heads. He wanted the hon. Gentleman to realise what was involved in his proposal. It was impossible that matters of such magnitude could be fairly and adequately discussed under such circumstances.

Mr. HUNT said the Government had not only treated the House badly, but they had kept them up till half-past four discussing a Bill which the private Member who introduced it said was so badly drafted that he could not understand it. The Patronage Secretary had stated that he was going to keep them over Christmas.

Mr. GEORGE WHITELEY: I never said that.

Mr. HUNT said he hoped the House would remember what the hon. Member had said.

*Mr. STANLEY WILSON said the Government had one or two candid friends on their own side, and he appealed to those in charge of this Bill to be reasonable. There was a strong body of opinion opposed to this measure, and they disliked the method by which the Government had brought it forward. They were told they were obstructing the Bill. As a matter of fact two or three days were spent discussing Clause 3, and finally the Solicitor-General embodied an Amendment which more or less carried into effect what the Opposition had been asking for during those days. Could this be called obstruction? If the Solicitor-General had foreshadowed that Amendment the first day his opinion was that the clause would have gone through in a single day's discussion. He thought it was a hardship for Members of the House to be asked to continue the discussion at five o'clock in the morning; in a few hours they would come to the clause which contained the main principle of the Bill. He thought the representatives of the Government on the Front Bench might have some consideration for the House and not ask them to sit till ten or twelve o'clock discussing the most important clause of the measure. He implored the Patronage Secretary to reconsider the matter. The hon. Gentleman had said that if they did not get the Bill passed through the Report stage by to-morrow night the House would be compelled to sit after Christmas. He called that bullying the House, and he did not think they were prepared to sit there and be bullied.

Mr. GEORGE WHITELEY indicated dissent.

*Mr. STANLEY WILSON said there were plenty of them who could talk a little bit and they would do their best to fight this measure even if they were kept sitting there for the next two days.

Viscount TURNOUR said he understood the Patronage Secretary to deny that he had said that unless Clauses 4 and 5 were got to-night and the Bill to-morrow, the House would be compelled to sit after Christmas.

Mr. GEORGE WHITELEY: I accept it in the way the hon. Gentleman beside the noble Lord described the statement.

Viscount TURNOUR said his hon. friend put it in a precisely similar way, although perhaps the words his hon. friend used were not quite the same. It seemed to him that that was not the way to go to work if the Government wished an important measure of this kind to be passed. He could assure the Patronage Secretary that so far as he was personally concerned—and he believed a good many of his friends thought the same thing—if the hon. Gentleman were to sit till the battle of Armageddon, it would make no difference to them. He thought the Government should allow the debate to be adjourned. The members of the Cabinet had become thinner since the morning. After getting visibly paler they left the House without, he believed, taking part in a division. In the name of humanity he appealed to the members of the Government to allow the discussion to be adjourned till they were in a better condition to discuss the clause, which would be at four o'clock in the afternoon.

MR. GEORGE WHITELEY said that what he had stated was that he was sure that if this stage of the Bill was unduly delayed they would be compelled to sit after Christmas. The Leader of the Opposition who immediately followed him was good enough to describe his speech as most courteous. His friends on the Ministerial side of the House hoped to be able to hold out a little longer. He believed it would be his duty to move the adjournment when that Motion was made, and he should not do so till the Prime Minister came down and authorised him to do so to-morrow. Meanwhile, he hoped hon. Members on that side would be as constant in their attendance as hon. Members opposite.

MR. WALTER LONG said the amazing proceedings on this Bill passed from one phase to another. [AN HON. MEMBER: Take off your coat.] When the Patronage Secretary said "to-morrow" it was to be presumed he meant to day. He was sure that nobody wished to hurry the arrival of the Prime Minister, and therefore at five o'clock in the morning they must continue a discussion which had already been embittered by unwise interventions on the part of more than one member of the Government which had not tended to the smooth progress of the Bill. The Patronage Secretary had been given his orders and had asked his friends to stand by him. If this was to be a prolonged fight over a Bill which the Government had taken up at the last moment, the Opposition were ready to fight the Bill to the bitter end.

VISCOUNT CASTLEREAGH (Maidstone) said that the expression made use of by the Parliamentary Secretary to the Treasury was unheard of in any Assembly. The hon. Gentleman had said that he would keep hon. Members there until he had received instructions from the Prime Minister. Why was not the Prime Minister on the Front Bench? [MINISTERIAL cries of "Question," "Oh, oh," and "Divide."] There was on the Treasury Bench a sprinkling of Ministers who were in no way connected with agriculture, and not one of whom was acquainted with the subject the House was now discussing. The Secretary for War should confine himself to discussing his own subject. It was impossible that Clause 5 of the Bill should be properly discussed at five o'clock in the morning. The course which had been adopted proved very conclusively that the Government did not want the clause to be adequately discussed. He supported the adjournment, and he sincerely hoped that the hon. Gentleman, who appeared to be affected by the hour of the morning, would also agree to it.

MR. AUSTEN CHAMBERLAIN said that a new element had been introduced into the discussion. Hitherto their discussions had been confined to the consideration of a clause of much importance, which they were asked to pass at that sitting; but the Parliamentary Secretary to the Treasury had intervened and had made a statement which raised the whole question as to how Parliamentary business should be conducted. He hoped that neither the hon. Gentleman, nor anyone else, would think that he and his friends were discourteous to the Prime Minister. He did not know any reason why the Prime Minister should not have been present, and nothing had been suggested or alleged as a reason for the right hon. Gentleman's absence by his colleagues.

AN HON. MEMBER: Is it needful?

MR. AUSTEN CHAMBERLAIN said he assumed that there were good reasons, on which he would make no comment, but he did make the greatest complaint of the absence from the House of any Minister who could take action in the absence of the Prime Minister. It was a customary charge in the late Parliament against his right hon. friend the Leader of the Opposition that he gave insufficient time to the debates in the House; but he knew of no occasion on which his right hon. friend did not come in and take charge of a debate of this importance. [AN HON. MEMBER on the IRISH Benches: He ran away once.] It might not have been possible for the Prime Minister to be present on this occasion, but he should have left some responsible Minister in charge of the debate. Was the House of Commons to be kept sitting, whatever the circumstances, unable to do its business until the Prime Minister could appear?

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) said that this was not the way to conduct business. So far as they on the Opposition side of the House could prevent it, not another line of this Bill should be obtained.

MR. MACVEAGH (Down, S.): This is obstruction, naked and unashamed.

MR. SAMUEL ROBERTS said that those who had been in the House for any length of time would admit that it was impossible to make further progress. He should have thought that with two Cabinet Ministers on the Treasury Bench, especially as they included the Minister for War with his common sense, the matter might have been easily solved.

*MR. H. H. MARKS (Kent, Thanet) said the debate which had taken place on this Motion was remarkable, not only for the statement of the Patronage Secretary as regarded the Prime Minister, and the line of action which he had laid out for him upon the present occasion, but also in regard to the future, because the Patronage Secretary had told them that he would not move the adjournment until the Prime Minister came down to the House and instructed him to do so. They all earnestly hoped that no incident might arise to prevent the Prime Minister from coming down to give the necessary instructions, but he would invite the attention of the House to the situation which would arise, if through any unforeseen contingency the Prime Minister could not come down by four o'clock. It was that statement and the attack which had been made that had got the House into its present frame of mind, which did not conduce to the dispatch of business or to good temper. The debate commenced with good humour and there was steady progress made, and that progress was, he thought everybody would admit, interrupted by the language used by the Patronage Secretary of the Treasury. The Patronage Secretary's usual geniality appeared to have suffered a total collapse, and while threatening that side of the House, the hon. Gentleman had only succeeded in obstructing the business which he wished to forward. Nobody could contend that the debate on that side of the House had been of an obstructive character. The debate on the Amendment had been confined to the subject matter of the Amendment, and if there had been any delay, it had been due to the repetition of arguments, in order to extort from the Government Bench some answer to the contentions which they on that side had put forward. No such reply had been obtained. Whether it was due to the absence of Ministers who understood the measure he did not know. Clearly there were very few of the Ministers who did understand the measure, and still fewer who took any interest in it, as the appearance of the Treasury Bench showed. They regretted the absence of the Prime Minister more than the absence of any other, because if the Prime Minister did not turn up, they might have to go on sitting indefinitely. This was an unparalleled state of things. and far more serious than the question of the prolongation of their debates. He made no complaint upon that score, nor did hon. Gentlemen sitting near him make any complaint, because they would shrink from no sacrifice to defeat the Bill under the circumstances in which it had been foisted upon the House. In order to do that they would, if necessary, sit there till Christmas, or until a certain unmentionable place was frozen over and then they would continue the argument on the ice.

*MR. CARLILE rose to support the Motion for the adjournment. He thought the Patronage Secretary must be under some delusion that they were not enjoying themselves on that side of the House and that they were finding the time rather long. He hoped he would disabuse his mind of any such idea; the hon. Gentleman had only to look at his hon. friends to see that they were a long way from being exhausted and were full of fight against this Bill. When the Patronage Secretary took to employing threats they cast them back with scorn. They did not care a straw about his threats, nor did they care whether the Prime Minister came down to the House that afternoon or not, although of course if he was kept away by illness they would regret it; but if the right hon. Gentleman thought that he had to come down to relieve them he need not disturb himself on that account. They were quite capable of continuing the debate so long as they thought it advisable to do so. They realised that if ever a Bill in this country, touching as it did the greatest of our industries, deserved the largest opportunities of discussion it was this Land Tenure Bill, and yet the present Administration had thrown it at them. Reference had been made to the fact that the attendance of Ministers was getting thinner, but he thought it was getting thicker, for he had not seen so many Ministers on the Treasury Bench since they began to discuss this measure. They could not compare, however, in number with the front Opposition Bench on which there were five Members of Cabinet rank at five o'clock in the morning. The only reason they had moved the adjournment was that they did not think five o'clock in the morning was the best time to discuss such a measure. Anyone seeing hon. Members walk up the floor of the House would think that they were walking in their sleep. [AN HON. MEMBER: You are talking in your sleep.] No, they were all awake on that side, and they were going to keep awake, and would insist upon this measure being properly discussed. They owed that to those who sent them to Parliament. They owed it to the farm labourers. [Cries of "Oh!"] The interests of agricultural labourers were involved in this measure, although hon. Members did not seem to think that their interests were worth considering. They considered that the interests of the farmers ought to be safeguarded, and that could only be done by a proper discussion of this Bill. They did not propose to play into the hands of an irresponsible ministry—irresponsible so far as this Bill was concerned, in the sense that they had taken the Bill up at the last moment. The Opposition washed their hands of the responsibility for the character of this legislation if it was to be discussed at that hour of the morning. It was an abominable thing that they should be dictated to by the Patronage Secretary. There were two Cabinet Ministers on the Treasury Bench. Were they so incapable of conducting this Bill that the Opposition were to be dictated to by an understrapper? The Opposition would one day be sitting where the right hon. and hon. Gentlemen opposite now sat, but they would not be under the thumb of the hon. Member for Stoke. He had no influence with hon. Members below the gangway, but he hoped they would give the Opposition an opportunity of expressing their views on this Bill.

*MR. CLAVELL SALTER said when the discussion was interrupted by the Motion for Adjournment, the House was discussing a clause which would break every agricultural tenancy in the country. The next clause which the House would reach would, if it was adopted, convert every agricultural tenant into the real owner of his farm subject to the decision of a third party as to the condition of the holding. It would absolutely destroy the relations between landlord and tenant. He rose to ask in all sincerity whether the Secretary of State for War thought it right that the House should be called upon to discuss matters of such enormous gravity, at such an hour and in such a condition as that which the House had now reached. They listened to the speech of the Patronage Secretary a short time ago. It was high-handed and cynically tyrannical, and he submitted that the course which the Government had threatened to take was nothing more than physical bullying. It was the mere abuse of numbers and physical strength. He was a new Member of the House and this was the first occasion of this kind at which he had been privileged to assist. But he could not help thinking that in the country outside there would be a feeling of great disgust, first at the abuse of power on the part of the Government and later at the exhibition they proposed to make of the House of Commons.

Question put.

The House divided:—Ayes, 62; Noes, 182. (Division List No. 401.)

AYES.

Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael HughHicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bull, Sir William James
Carlile, E. Hildred
Castlereagh, Viscount
Cavendish, Rt. Hn.Victor C.W.
Cecil, Lord John P. Joicey-
Chamberlain, Rt.Hn.J.A.(Wor.
Coates, E. Feetham (Lewisham
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Dalrymple, Viscount
Fell, Arthur
Ferguson, R. C. Munro
Finch, Rt. Hon. George H.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Helmsley, Viscount
Hills, J. W.
Hunt, Rowland
Kenyon-Slaney, Rt.Hn.Col.W.
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter (Dublin,S
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield
Pease,HerbertPike(Darlington)
Percy, Earl
Randles, Sir John Scurrah
Remnant, James Farquharson
Roberts, S.(Sheffield, Ecclesall)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H.(Hertford,East)
Smith, F. E.(Liverpool,Walton
Stanley, Hn. Arthur (Ormskirk
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Turnour, Viscount
Whitbread, Howard
Wilson, A.Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. Stuart
Wyndham, Rt. Hon. George
Younger, George

Tellers for the Ayes—Sir Alexander Acland-Hood and Viscount Valentia.

NOES.

Abraham, Wm.(Cork, N.E.)
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Astbury, John Meir
Baring, Godfrey (Isle of Wight)
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. H. (Eastbourne
Beaumont, Hn.W.C.B.(Hexhm
Benn,Sir J.Williams(Devonprt
Benn, W.(T'w'rHamlets,S.Geo.
Bennett, E. N.
Bertram, Julius
Bethell, SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Brace, William
Bramsdon, T. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.L.F. (Lancs., Leigh
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Byles, William Pollard
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Collins, SirWm.J.(S.Pancras,W
Cooper, G. J.
Corbett, C.H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crossley, William J.
Delany, William
Dickinson, W.H.(St.Pancras,N
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Fuller, John Michael F.
Gibb, James (Harrow)
Ginnell, L.
Gladstone,Rt.Hn.HerbertJohn
Glendinning, R. G.
Goddard, Daniel Ford
Grant, Corrie
Griffith, Ellis J.
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B.(Worc'r)
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Idris, T. H. W.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonsh)
Kekewich, Sir George
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Levy, Maurice
Lough, Thomas
Lundon, W.
Lupton, Arnold
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln
Markham, Arthur Basil
Marks, G.Croydon (Launceston
Meagher, Michael
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murphy, John
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Brien, William (Cork)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearson, W.H.M. (Suffolk,Eye)
Pollard, Dr.
Price, RobertJohn(Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)

Rea, Walter Russell(Scarboro')
Redmond, John E. (Waterford
Redmond, William (Clare)
Richards, Thos. (W. Monm'th)
Richards, T. F. (Wolverh'mpt'
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rowlands, J.
Samuel, HerbertL. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A. H. (Ashton-under-Lyne
Seddon, J.
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Smyth, Thomas F. (Leitrim, S.
Soames, Arthur Wellesley
Stanger, H. Y.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Taylor, John W. (Durham)
Thomas, Sir A. (Glamorgan, E.
Thompson, J. W. H. (Somerset, E
Thorne, William
Tomkinson, James
Ward, W. Dudley (Southampton
Wason, Eugene (Clackmannan)
Wason, JohnCathcart(Orkney)
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williamson, A.
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord (Norfolk, Mid

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

Question again proposed, "That the word 'future' be there inserted in the Bill."

Debate arising.

SIR SAMUEL SCOTT (Marylebone, W.) did not think there was any hope that the Government would see their way to accept this Amendment. After the speech of the Patronage Secretary he understood how extremely difficult it was for those sitting on the Treasury Bench to accept any Amendment in view of the fact that there appeared to be no one responsible for the measure under discussion. The Amendment would prevent the breaking up of existing contracts. A great many tenancies were yearly tenancies, but a large number were also held under leases. Were they going to break the agreement on the one side, and not give compensation on the other? The Government came down to the House of Commons with this proposal, and tried arbitrarily to break up the relations between landlord and tenant. He thought that was a most iniquitous state of affairs. He did not expect much from the Government, but he did expect a small concession like that now asked for. He had let farms upon leases and upon yearly tenancies, and he found that the leases had been most satisfactory. By this clause they would ruin any prospect a tenant might have of being granted a long lease, because under the Bill it would be impossible for any landlord to grant anything longer than a yearly tenancy.

*MR. STAVELEY-HILL (Staffordshire, Kingswinford) said that hon. Members opposite and below the gangway appeared to look upon the landowners of this country in the same light as they looked upon those landlords who ruthlessly demanded high rents for small tenements in large towns. The Government thought they were going to get on their side by this Bill the tenant farmers of the country, but what would the farmers say to the Government when they found that in every case where they had the power under this Bill, they abrogated all the existing contracts? If there had been a popular mandate for this Bill surely the Government would have introduced it. As a matter of fact the Government had no mandate and the Bill was brought in by a private individual. Where were the Ministers who were responsible for the Measure?

*MR. SPEAKER: The argument which the hon. Member is pursuing does not seem to be relevant to this Amendment.

*MR. STAVELEY-HILL said they were endeavouring to put an end to all existing tenancy agreements without which those who were anxiously looking for the prosperity of agriculture would look in vain.

*MR. COCHRANE said that on this particular Amendment perhaps the House would allow him to say a word or two. He came from a part of the country where the system of tenure was long leases, and where sanctity of contract was one of the vital principles to which the people of Scotland paid tribute. By this clause they proposed to break up that sanctity of contract and interfere with the principle of long leases under which agriculture in Scotland had thriven so remarkably. He thought by so doing they would do a very great injury. Owing to the particular needs of the country there was a distinct rotation of crops, and to permit here and there a tenant to depart from the well-considered system which had grown up, and which formed part of the life of the community, would form a very risky experiment indeed. The whole of this question was investigated by a Committee appointed in 1893, which reported in 1897. He remembered the evidence given by a witness from Scotland. With one accord that Committee laid down that whilst they might be in favour of giving freedom and relaxation to various systems in regard to the rotation of crops, they thought it essential in the last years of the tenure that the system of the rotation of crops should be again in force, in order that the farm might be handed over to an incoming tenant in a proper condition. That was a proposition which no one would dispute. It was in the general interest that the well-arranged plans for the systematic cultivation of the land should not be departed from. The Secretary of State for War was well aware that in the Lothians high-class farming had resulted from the Scottish system of long leases and rotation of cropping. The whole of the buildings there had been put up to meet this particular demand. They had been put up to meet the requirements of feeding cattle on a large scale, and every year hundreds of cattle were imported from Ireland. If the present tenant who had agreed to carry out that system of farming were to lay the holding out in grass or to crop it in such a way as he liked, it would make the land less valuable to an incoming tenant. In the dairy portion of the country a different system of rotation existed because of the different class of business which had grown up. It would be to the disadvantage of an incoming tenant if a dairy farmer were to break up that system and apply the byres intended for cows to other purposes. There were parts of the country where early potatoes were grown in enormous quantities. This system of cultivation was very elaborate. The potatoes were started under glass, and, as the result of this operation, people were able early in the year to have the luxury of new potatoes. For purposes of that kind it was necessary to have a regular rotation of crops. If they used the land over and over again for growing potatoes it would become exhausted and unsuitable for the purpose. There might be a tenant who, instead of following the rotation of cropping, would plant the whole of his farm with potatoes, and endeavour thereby to make a profit in the last year of his tenure. He would have liked to argue these matters in considerable detail.

MR. FLAVIN (Kerry, N.): Give us some more potatoes.

*MR. COCHRANE: I should like to give the hon. Gentleman a hot one. At present if a tenant who had a nineteen years lease desired for some reason or another to alter the rotation of his cropping it was perfectly easy for him to go to the landlord or the factor and explain the circumstances of the case and ask to be allowed to make the change. He was sure no Member could bring forward a case where a farmer making such an application had been met with a refusal from the landlord or factor. The Solicitor-General for Scotland had said that he knew farmers were Conservatives because they voted against him. Would they vote against hon. Members opposite if they were treated with harshness and injustice by those who represented the landlord class? Was not the fact that farmers gave their support politically and in other ways to Conservatives a true indication that landlords and tenants in Scotland were on the very best terms? Circumstances undoubtedly varied in different parts of the country.

MR. FLAVIN: Speeches do not.

*MR. COCHRANE said they were not unaccustomed to hear the same speeches delivered time and again from the Nationalist Benches. The position at present made it extremely difficult for hon. Members who desired to discuss these questions to deal with them in the way they would like to do. Circumstances differed. In the case of a farm in the neighbourhood of such a large city as London or Edinburgh, it was perfectly obvious that the conditions of cropping might be relaxed, because it was very easy for the farmer to renew the fertility of the soil of his farm. All the farmer had to do was to sell his corn and root crop at a big price in the market, and in return he was able to cart back from the city to his holding a great deal of manure at a very cheap price; but how on earth was the farmer whose holding was situated twenty or thirty miles from a large town, or even from a railway station, to sell either his root or corn crop in the hope of getting cheap fertilizers from such sources?

MR. LEIF JONES (Westmoreland, Appleby) asked if the hon. Member was not discussing rather the policy of the clause than the Amendment before the House.

*MR. SPEAKER agreed that that was so.

*MR. COCHRANE apologised, but said he was endeavouring to explain the system of leases in Scotland. His object was to point out that while much greater freedom of cropping might be permitted on certain farms, say, ten or fifteen years ago—especially on farms situated near large towns and railway stations—that laxity could not be given to farmers in remote rural districts. The point of the Amendment, as he understood it, was to exempt such existing tenures from the operation of this clause. But even as it stood, he thought that the clause had a great deal to recommend it. For his own part, he was very much in favour of permitting tenants to have as great freedom as possible so long as the interest of the landlord, the present tenant, all future tenants and the general interest of the country were conserved by having all farms properly cultivated and maintained. But when he saw that those conditions were disregarded and that the principle of the sanctity of contract would be broken unless this Amendment were accepted, then he gave it his most hearty support.

MR. HALDANE rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided:—Ayes, 177; Noes, 56. (Division List No. 402.)

AYES.

Abraham, Wm. (Cork, N. E.)
Allen, A. Acland(Christchurch)
Allen, Charles P. (Stroud)
Baring, Godfrey (Isle of Wight)
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. H. (Eastbourne
Beaumont, Hn.W.C.B.(Hexhm
Benn, Sir J.Williams (Devonpt
Benn, W.(T'w'rHamlets, S.Geo
Bennett, E. N.
Bertram, Julius
Bethell, SirJ.H.(Essex,Rom'frd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Brace, William
Bramsdon, T. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L. (Lancs.,Leigh)
Burns, Rt. Hn. John
Burnyeat, W. J. D.
Byles, William Pollard
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cooper, G. J.
Corbett, C.H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crossley, William J.
Dalziel, James Henry
Delany, William
Dickinson, W.H.(St.Pancras,N
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Fuller, John Michael F.
Gibb, James (Harrow)
Ginnell, L.
Gladstone,Rt.Hn.Herbert John
Glendinning, R. G.
Goddard, Daniel Ford
Grant, Corrie
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Haworth, Arthur A.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Idris, T. H. W.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonsh.)
Kekewich, Sir George
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Lamb, Ernest H. (Rochester)
Lambert, George
Layland-Barratt, Francis
Lehmann, R. C.
Lever, A.Levy(Essex,Harwich)
Levy, Maurice
Lundon, W.
Lupton, Arnold
MacVeagh, Jeremiah (Down S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln
Markham, Arthur Basil
Marks, G.Croydon(Launceston)
Meagher, Michael
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murphy, John
Murray, James

Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Chas. N. (Doncast·
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearson, W. H. M. (Suffolk,Eye
Pollard, Dr.
Price, Robert John(Norfolk E.,
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Richards, Thos. (W. Monm'th)
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rowlands, J.
Samuel, Herbert L.(Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A. H.(Ashton-under-Lyne
Seddon, J.
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Smyth, Thos. F. (Leitrim, S.)
Soames, Arthur Wellesley
Stanger, H. Y.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Taylor, John W. (Durham)
Thomas, Sir A.(Glamorgan.E.)
Thompson, J.W.H.(Somerset,E
Thorne, William
Tomkinson, James
Ward, W.Dudley(Southampton
Wason, Eugene(Clackmannan)
Wason, JohnCathcart(Orkney)
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williamson, A.
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord (Norfolk, Mid

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael HughHicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bull, Sir William James
Carlile, E. Hildred
Castlereagh, Viscount
Cavendish, Rt. Hn. Victor C.W
Cecil, Lord John P. Joicey-
Chamberlain, RtHn.J.A.(Worc
Coates, E.Feetham(Lewisham)
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Dalrymple, Viscount
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Helmsley, Viscount
Hills, J. W.
Hunt, Rowland
Kenyon-Slaney, Rt. Hn. Col. W
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S.
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield
Pease, HerbertPike(Darlington
Percy, Earl
Randles, Sir John Scurrah
Remnant, James Farquharson
Roberts, S.(Sheffield, Ecclesall)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, AbelH.(Hertford, East)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Turnour, Viscount
Wilson, A. Stanley(York, E.R.)
Wortley, Rt. Hon. C.B.Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Question put accordingly, "That the word 'future' be there inserted in the Bill."

The House divided:—Ayes, 56 Noes. 176. (Division List No 403).

AYES.

Acland-Hood, Rt.Hn.Sir AlexF
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H.T. (Londonderry, N.)
Beach, Hn.Michael Hugh Hicks
Bickett, Hon. Gervase
Bignold, Sir Arthur
Bull, Sir William James
Carlile, E. Hildred
Castlereagh, Viscount
Cavendish, Rt.Hon.Victor C.W.
Cecil, Lord John P. Joicey-
Chamberlain, Rt.Hn.J.A. (Wor
Coates, E. Feetham (Lewisham
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Craig, Charles Curtis (Antrim, S.
Craig, Captain James (Down, E
Dalrymple, Viscount
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Helmsley, Viscount
Hils, J. W.
Hunt, Rowland
Kenyon-Slaney, Rt. Hon. Col. W.
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lockwood, Rt. Hn. Lt.-Col. AR
Long, Rt.Hon.Walter (Dublin, S
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield
Pease, Herbert Pike (Darlingt'n
Percy, Earl
Randles, Sir John Scurrah
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.

Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Turnour, Viscount
Valentia, Viscount
Wilson, A. Stanley (York, E.R.
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Mr Courthope and Mr. Abe Smith.

NOES.

Abraham, William (Cork, N.E.
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Baring, Godfrey (Isle of Wight)
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont, Hn. H. (Eastbourne
Beaumont, Hn. W. C. B. (H'x'm
Benn, Sir J. Williams (Devonp't
Benn, W. (T'w'r H'ml's, S. Geo.
Bennett, E. N.
Bertram, Julius
Bethell, Sir J. H. (Essex, R'mf'd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Brace, William
Bramsdon, T. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Byles, William Pollard
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cooper, G. J.
Corbett, C. H. (Sussex, E. Gr'st'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crossley, William J.
Dalziel, James Henry
Delany, William
Dickinson, W. H. (St. Pancras, N
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Cambrone)
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Fuller, John Michael F.
Gibb, James (Harrow)
Ginnell, L.
Gladstone, Rt. Hn. Herbert J.
Glendinning, R. G.
Goddard, Daniel Ford
Grant, Corrie
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Haworth, Arthur A.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Idris, T. H. W.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonsh.
Kekewich Sir George
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Lamb, Ernest H. (Rochester)
Lambert, George
Layland-Barratt, Francis
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Levy, Maurice
Lundon, W.
Lupton, Arnold
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.)
M'Crae, George
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln
Markham, Arthur Basil
Marks, G. Croydon (Launceston
Meagher, Mighael
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Charles N. (Donc'r)
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearson, W. H. M. (Suffolk, Eye
Pollard, Dr.
Price, Robert John (Norfolk, E.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rowlands, J.
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A. H. (Ashton under Lyne
Seddon, J.
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Smyth, Thomas F. (Leitrim, S
Soames, Arthur Wellesley
Stanger, H. Y.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Taylor, John W. (Durham)
Thomas, Sir A. (Glamorgan, E.)
Thompson, J. W. H. (Somerset, E
Thorne, William
Tomkinson, James
Ward, W. Dudley (Southamp'n
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney
Wedgwood, Josiah C.
Whithead, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williamson, A.
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord (Norfolk, Mid

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. LAMBTON said the Amendment standing in his name was a long and an important one, but it was quite impossible to do justice to it at that hour of the morning. He understood, however, that the Government were prepared to accept it, and that being so he would confine himself to pointing out that it carried out the professed object of the fourth clause, while its drafting was superior to that of the fourth clause. It was in that spirit and that spirit only that he now begged to move.

The Amendment was formally seconded.

Amendment proposed—

"In page 2, line 31, to leave out all the words from the word 'the,' to the end of sub-section (1) of Clause 4, and insert the words 'method of cropping of arable lands, or the disposal of crops produced upon the holding, a tenant shall have full right to practise any system of cropping of the arable land and to dispose of the produce of his holding without incurring any penalty, forfeiture, or liability contained in any such contract of tenancy or agreement, provided that he shall previously have made, or, as soon as may be, shall make suitable and adequate provision to protect the holding from injury or deterioration, and provided also that he shall return to the holding, as soon as may be, the full manurial value of all crops sold off or removed from the holding."—(*Mr. Lambton.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR EDWARD STRACHEY said he had indicated at an earlier period of the debate that he was quite willing to accept the Amendment. He would have been glad to go into the facts fully, but for reasons which would be well understood without their being mentioned, he would not go into them now. He quite agreed that some drafting Amendments were required in the clause in order to carry out its object. He further agreed that it was the object to confine the proposal to arable land, and he was glad to give the assurance that the Government would incorporate this Amendment in the Bill.

Question put, and negatived.

Question proposed, "That those words be there inserted."

*MR. CARLILE asked whether an Amendment which he had drafted would be ruled out if this Amendment were accepted.

*MR. SPEAKER said if the hon. Member referred to an Amendment on page 34 that Amendment would be cut out.

*MR. CARLILE said that no reference was made in the Bill or in the Amendment to the question of water rights. Perhaps this was an omission on the part of those who drafted the Bill and the Amendments, and he wished to move that the tenant should not have the right to divert the water supply.

*MR. SPEAKER: I think the hon. Member can hardly make that relevant at this stage.

MR. LAMBERT thought the most convenient place to introduce such words would be on Clause 7, which dealt with water rights.

MR. WALTER LONG said this Amendment would entirely change this clause, which proposed to give the tenant freedom of cropping and other things. By changing the clause in the manner proposed a risk was run that permanent pastures would be indirectly included, and there would be a risk in connection with the rights of timber on arable land.

SIR EDWARD STRACHEY said there was certainly no intention of giving power to cut down trees on arable land. If that intention was not fully carried out he was quite willing to introduce a safeguard to that effect in another place.

MR. AUSTEN CHAMBERLAIN called attention to an Amendment standing in the name of the hon. Baronet the Member for South Somerset, by which it was proposed to include in Clause 4 the words "fruit or other trees or plantations of hops," and said that the Amendment which he wished to move was quite distinct. Attention had already been called to the fact that they were giving power to the tenant to lay down arable land in permanent pasture notwithstanding any agreement to the contrary. He thought that to give the tenant this power would have the effect of driving men off the land. It was essential to put in words to limit the right of the tenant in that respect. The tenant was often a stranger to the district and a mere bird of passage. On the other hand the labourer was generally a man who had lived all his life on that particular plot of land. No one had a stronger claim to their protection than the labourer under such circumstances. He could not conceive that it was the intention of the Government that a farmer should be allowed to lay down arable land as permanent pasture, thus robbing a number of labourers of their means of subsistence. He would like to add in line 6 of the Amendment the words "nothing in this sentence shall give the tenant a right to lay down arable land as permanent pasture."

THE CIVIL LORD OF THE ADMIRALTY (Mr. LAMBERT, Devonshire, South Molton) said the right hon. Gentleman proposed to provide that a tenant should not be allowed, without the consent of his landlord, to lay down land as permanent pasture. That Amendment would be more appropriate on subsection (1) of Clause 7 which dealt specifically with permanent pasture.

*MR. SPEAKER: I think the right hon. Gentleman will be able to make his objection on Clause 7.

MR. WHITBREAD said it seemed to him that the insertion of this Amendment would have the effect of confining the liberty of cropping to the arable land.

MR. WALTER LONG said that in the original contract of tenancy land was described as arable and pasture land. He thought that when the land was given up it should be in the condition in which it was when was originally taken.

MR. AUSTEN CHAMBERLAIN said he did not see anything in the clause that would prevent a tenant turning arable land into permanent pasture. They were now conferring upon the tenant the right to crop his arable land as he pleased, subject only to the obligation not to deteriorate his holding and to return certain manurial values. He hoped it would be made perfectly clear that arable land was not to be laid down as permanent pasture under this section.

*MR. SPEAKER: I think the right hon. Gentleman should raise this point on Clause 7.

COLONEL KENYON-SLANEY asked whether the words "as soon as may be" were satisfactory. He thought the words were very indefinite and ought to be replaced by the words "forthwith." In the second case the tenant was to return to the holding the full manurial value of all the crops he had sold off. If he had done that there was no reason why he should not at once make up the full manurial value which he had allowed to lapse. The Amendment proposed by his hon. friend would not by any means make the complete alteration of the clause which they wished.

SIR FREDERICK BANBURY moved to omit the words "as soon as may be." His object was to avoid the uncertainty which might arise from the interpretation of these words. They might mean three or four months or a year. If the words were left out the clause would be very much simpler, and it would give less opportunity to lawyers to take the little that would remain for the tenant after the legislation offered by right hon. and hon. Gentlemen opposite.

Amendment proposed to the proposed Amendment—

"To leave out the words "as soon as may be."—(*Sir Frederick Banbury.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

SIR EDWARD STRACHEY said he agreed that the words "as soon as may be" were vague, but the effect of leaving them out would be to leave the matter uncertain because there would then be no time indicated, and the omission might be taken as removing the binding obligations.

SIR A. ACLAND-HOOD said the word "previously" was really of no use in the case of a tenant who had not farmed in the way agreed upon. If a man grew the same crop three times running and had three bad harvests he lost money, and he would not have money to restore the fertility of the land. It was a proposal to give a man power to gamble in the cultivation of the land. If the gamble succeeded it was all right, but if it did not the land suffered. They wanted something in the Amendment to prevent the deterioration of the land by the action of a man who made a gamble and was not successful.

MR. TOMKINSON said the tenant was not a permanent fixture, and if he did not work the farm properly the landlord could exercise his power over him. If a farmer grew three corn crops running, the landord could say to him that if he farmed like that he would be turned off.

Mr. WALTER LONG said they were surely getting a little fogged. The hon. Member for Crewe came forward with the astounding explanation that after the passing of the Bill the wicked landlord was to continue to do whatever the Bill was intended to prevent his doing; that if the tenant had ceased to farm in a proper manner, the landlord had his redress—he could turn the tenant out. The very object of the clause was to get rid of that redress, and to give the tenant absolute freedom as to how he should crop his farm. He himself thought that great importance attached to the way in which restitution was to be made to the land.

MR. TOMKINSON said that his object in supporting the Amendment was to encourage the good tenant.

COLONEL LOCKWOOD said he knew a gentleman who grew wheat on the same land for thirty years running, but as he returned the full manurial value to the soil the land was in no way deteriorated.

Amendment to the proposed Amendment, by leave, withdrawn.

Question again proposed, "That those words be there inserted in the Bill."

MR. WALTER LONG said he had handed in an Amendment at the Table which he asked the Government to accept. From what the hon. Gentleman in charge of the Bill had said he did not think they could object to it. Obviously the House was in some difficulty. If the Government had adopted the ordinary course of placing in their own names on the Paper the Amendments they thought were necessary to put the Bill in a proper shape, the House would have had before them the scheme of the Government. But, until they met that night, they had no knowledge that the Government meant to adopt the Amendment of his hon. friend. The point he wished to raise was whether the Government were quite certain that by accepting his hon. friend's Amendment, and thereby making an entire change in the plan of the Bill, they did not run the risk of giving to the tenant the power of dealing with timber on agricultural lands. It was to meet that difficulty that he desired to move the following Amendment—

"In page 2, line 39, to insert these words, 'provided also that nothing in this section shall give the tenant any power to fell, cut, lop, or injure any trees on arable land, or in plantations.'"

He thought surely there could be no objection to its adoption, because it would make it perfectly clear that the freedom of cropping proposed to be given under this clause should apply only to arable land, and the crops on arable land.

*MR. SPEAKER thought that the Amendment had better come as a new clause and not as a proviso.

VISCOUNT TURNOUR moved to omit the word "off" from the proposed Amendment. The Amendment provided that the tenant should return to the holding the manurial value of all crops "sold off" full or removed from the holding. The word "off" did not seem to him to be necessary, and his object in moving its omission was that the Amendment should be made as simple as possible in order that everybody who would be affected by it when it became law should know what it meant. He did not think that "sold off" was a very grammatical term.

CAPTAIN CRAIG seconded the Amendment to the Amendment.

Amendment proposed to the proposed Amendment to the Bill—

"In line 9, to leave out the word 'off'"—(*Viscount Tournour.*)

Question proposed, "That the word 'off' stand part of the proposed Amendment to the Bill."

MR. LAMBERT asked the noble Lord not to persist in this Amendment. The Amendment of the hon. Member for Durham had been very carefully considered by the Government draughtsman, and he would prefer not to alter it at the present time.

VISCOUNT TURNOUR said he would not press the Amendment after the courteous reply of the hon. Gentleman.

Amendment to the proposed Amendment, by leave, withdrawn

Proposed words there inserted in the Bill.

COLONEL KENYON-SLANEY said there were certain provisions which he was glad to see in the Amendment just adopted, but it did not take any cognisance of certain other things which imperilled the interests of the incoming tenant. It was of absolutely first class importance to the incoming tenant that he should find on the farm the necessaries for feeding his stock, and but for the Amendment about to be proposed he might come in and find the holding stripped of all food whatever. Then, again, he thought his hon. friend would agree that there were few things more important than that the manure made during the last year of the tenancy should be left for the purposes of the incoming tenant. There was nothing in the clause at present which safeguarded these two things, and therefore he moved the Amendment of which he had given notice.

Amendment proposed—

"In page 2, line 37, to insert the words 'notwithstanding anything in this section, the tenant shall leave the unconsumed hay, straw, roots, and manure grown or produced during the last year of the tenancy for the incoming tenant as required by agreement or custom, and shall leave his holding in the rotation of cropping provided by his contract of tenancy, or, in default of such provision, by the custom of the country.'"—(*Col. Kenyon-Slaney.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. LAMBERT said he was obliged to the right hon. Gentleman for having abbreviated his observations. He would endeavour to follow the right hon. Gentleman's example. He desired to point out that subsection (3) of Clause 4 covered this point. That subsection, hon. Members would recollect, was inserted in the Committee upstairs at the direct instigation of the Central Chamber of Agriculture. It provided also that this clause should not apply to the last year of a tenancy. It was not the wish or the intention of the Government to allow a farmer to rack out a holding and leave it impoverished for the incoming tenant. They wanted him to improve the holding and to allow him every freedom in developing it to the utmost possible extent.

MR. WALTER LONG said the courteous spirit and manner in which the hon. Member had approached the Opposition was a delightful change. The hon. Member had reminded the House that the subsection limiting the operation of the clause was put in at the instigation of the Central Chamber of Agriculture, but that subsection did not do what the hon. Gentleman himself had just stated. It did not make it quite clear that the tenant should leave a condition of things which was indispensable to the incoming tenant if he was to meet with success. After the courteous reply of the hon. Gentleman he did not wish to press him on the matter, but he thought the words of his hon. friend were an improvement, and if a division was taken he should support the Amendment.

MR. ABEL SMITH pointed out that in the words of the sub-section there was nothing to correspond with the words of the Amendment, as to the unconsumed hay, straw, roots and manures grown or produced during the last year of tenancy. That was a most important point, because it was absolutely impossible for an incoming tenant to carry on a farm unless these things were left on the farm. It was the universal custom of the country that certain food for cattle should be left on the farm so that the incoming tenant should find enough to feed his cattle for at least two months. He could see no reason why this Amendment should not be accepted. The last part of the Amendment in regard to the rotation of cropping provided by the contract of tenancy was another point that was not mentioned in the clause.

*MR. LAMBERT contended that the Amendment on the Paper was covered by subsection (3), and that therefore these words were unnecessary.

COLONEL LOCKWOOD said the hon. Gentleman, however anxious he might be to accept the Amendment, had not the power, because he had not the assistance of any of the Law Officers of the Crown, and he not being a lawyer could not undertake on his own responsibility to accept words which might have the effect of entirely altering the clause. He thought the Law Officers of the Crown were leaving the hon. Gentleman too much to take care of himself, and as a protest against their absence he begged to move that the debate be now adjourned.

*MR. SPEAKER said the House had decided less than two hours ago that they would go on, and he could not accept the Motion.

SIR A. ACLAND-HOOD called the attention of the hon. Gentleman, who was familiar with such questions, to the great difficulty the arbitrator would have in deciding these matters if he had nothing to go upon. If this Amendment were accepted they would have a definite case to put before the arbitrator which he could then decide. There would, he thought, be some difficulty in dealing with cases under subsection (3). He hoped the hon. Gentleman would accept the Amendment, as he understood the Army, the Navy, and the Reserve Forces were to arrive at the House at 8 o'clock.

MR. CORRIE GRANT (Rugby) said the Amendment moved by the right hon. Member would not carry out what hon. Gentlemen opposite desired. Subsection (3) provided that this clause was not to apply to the last year of the tenancy. The Amendment specified certain things which were to be dealt with, and the arbitrator instead of having a free hand would find his hands tied. Therefore the aim of hon. Gentlemen opposite would not be attained. He thought subsection (3) was the right way of dealing with the matter; they ought to leave the arbitrator's hands perfectly free.

MR. COCHRANE wished to know whether when the new tenant came in he would find on the farm a supply of turnips which were absolutely necessary for him to carry on during the in-coming year. The Amendment of his right hon. friend provided that that should be the practice in the future as in the past, as his words were "as required by agreement or custom." He hoped the right hon. Gentleman would press his Amendment to a division. He could not see any reason why the Government should not accept those words, because if they were superfluous they could do no harm, and they would only make security doubly secure.

MR. LAMBERT said that this matter had been considered by the Board of Agriculture, and they distinctly stated that the words of the right hon. Gentleman were not necessary in view of subsection (3) of this clause. That was a very clear opinion, and if anyone even without legal knowledge looked at the matter they would see that the wishes of the right hon. Member for Shropshire were carried out in subsection (3) which was put in at the instance of the Central Chamber of Agriculture.

VISCOUNT HELMSLEY said that this Amendment showed the necessity of having a reliable Law Officer of the Crown present to give an authoritative interpretation of the Bill and the effect of the Amendment. They had had interpretations given by the hon. and learned Gentleman behind the Government Bench and the Civil Lord of the Admiralty, and a different interpretation had been placed upon it by another hon. Member on the front Opposition Bench. They had come to a deadlock now for want of a law officer to explain this matter. He thought it was treating the Opposition with rather scant consideration when the Law Officers of the Crown did not take the trouble to attend in order to explain important points in the clause under consideration.

Question put.

The House divided:—Ayes, 54; Noes 170. (Division List No. 404.)

AYES.

Acland-Hood, Rt. HnSirAlex. F.
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmwood-
Barrie, H.T. (Londonderry, N.
Beach, Hn. Hichael High Hicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bull, Sir William James
Carlile, E. Hildred
Castlereagh, Viscount
Cavendish, Rt. Hn. Victor C. W.
Cecil, Lord John P. Joicey-

Chamberlain,Rt.Hn.J.A.(Wor.
Coates, E. Feetham (Lewisham
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Lloyd
Craig,CharlesCurtis (Antrim, S.
Craig,Captain James (Down, E
Dalrymple, Viscount
Fell, Arthur
Finch, Rt.Hon. George H.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Helmsley, Viscount
Hunt, Rowland
Lane-Fox, G. R.
Lockwood,Rt.Hn. Lt.-Col. A.R
Long,Rt.Hn.Walter(Dublin,S.)
Lyttelton, Rt. Hon. Alfred
Marks, H. H. (Kent)
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield
Pease,Herbert Pike (Darlingt'n
Percy, Earl
Randles, Sir John Scurrah
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H.(Hertford, Eas
Starkey, John R.
Staveley-Hill,Henry (Staff'sh)
Thomson,W. Mitchell-(Lanark)
Valentia, Viscount
Wilson,A.Stanley (York, E. R.
Wortley, Rt. Hon. C. B.Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Colonel Kenyon-Slaney and Viscount Turnour.

NOES.

Abraham, William (Cork, N.E.
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Baring,Godfrey (Isle of Wight)
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beauchamp, E.
Beaumont,Hon. H. (Eastb'rne
Beaumont,Hn.W.C.B. (H'x'm
Benn,Sir J. Williams (D'v'np't
Benn,W. (T'w'r Hamlets,S.Geo
Bennett, E. N.
Bertram, Julius
Bethell,Sir J.H. (Essex, R'mf'd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Brace, William
Bramsdon, T. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner,J.F.L. (Lancs., Leigh)
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Byles, William Pollard
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cooper, G. J.
Corbett,C.H.(Sussex,EGrinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crossley, Wm. J.
Dalziel, James Henry
Delany, William
Dickinson,W.H. (St.Pancras,N
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Fuller, John Michael F.
Gibb, James (Harrow)
Ginnell, L.
Gladstone,Rt.Hn.Herbert John
Glendinning, R. G.
Goddard, Daniel Ford
Grant, Corrie
Gwynn, Stephen Lucius
Hardie,J.Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Haworth, Arthur A.
Helme, Norval Watson
Henderson, Arthur (Durham)
Higham, John Sharp
Hills, J. W.
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Idris, T. H. W.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones,William (Carnarvonshire
Kekewich, Sir George
King, Alfred John (Knutsford)
Lamb, Ernest H. (Rochester)
Lambert, George
Lambton, Hon. Frederick Wm.
Layland-Barratt, Francis
Lehmann, R. C.
Lever,A.Levy (Essex,Harwich)
Levy, Maurice
Lundon, W.
Lupton, Arnold
MacVeagh,Jeremiah (Down, S.
MacVeigh,Charles (Donegal,E.)
M'Crae, George
M'Killop, W.
Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln
Markham, Arthur Basil
Marks, G.Croydon (Launceston
Meagher, Michael
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson,Charles N. (Donc'r)
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien,Kendal (TipperaryMid.
O'Brien, Patrick (Kilkenny)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearson,W.H.M. (Suffolk, Eye)
Pollard, Dr.
Price,Robert John (Norfolk,E.)
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Richards, Thomas(W.Monm'th
Richards, T.F. (Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rowlands, J.
Samuel,Herbert L. (Cleveland)
Scott,A.H. (Ashton under Lyne
Seddon, J.
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Smyth, Thomas F. (Leitrim,S.)
Soames, Arthur Wellesley
Stanger, H. Y.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Taylor, John W. (Durham)
Thomas,Sir A.(Glamorgan, E.)
Thompson,J.W.H.(Somerset,E
Thorne, William
Tomkinson, James
Ward,W.Dudley (South'mpt'n
Wason Eugene (Clackmannan)
Wason, John Cathcart (Orkney
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland

Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williamson, A.
Wilson, W. T. (Westhoughton
Winfrey, R.
Wodehouse, Lord (Norfolk, Mid

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. HICKS BEACH moved to add, after the last Amendment, words providing that the tenant should supply the landlord, when called upon to do so, with a full and accurate statement of all the crops sold off or removed from the holding and of the manures he had applied to the land. He said he would like to have the opinion of one of the Law Officers of the Crown upon the words proposed. The tenant had to provide that the necessary amount of manure was returned to the holding in order to make up for the deficiency in the fertility of the soil. It would be impossible for the landlord to prove that his tenant had taken the necessary steps to do this unless the tenant was able to prove that he had put the necessary amount of manure in the holding. It appeared to him that some words of this kind were necessary. The words of the Amendment he suggested were "and shall supply the landlord when called upon to do so with a full and accurate statement of all crops on or removed from the holding and all manures necessary for such crops."

Amendment proposed to the Bill—

"In page 2, line 31, after the words last inserted, to insert the words 'and shall supply to the landlord when called upon to do so a full and accurate statement of all crops sold off or removed from the holding, and of all manures applied thereto in respect of such crops.'"—(*Mr. Hicks Beach.*)

Question proposed "That the words be there inserted in the Bill."

MR. LAMBERT said he had not seen the words on the Paper, but he was inclined to think that they were superfluous, because if the tenant did anything to injure or deteriorate the holding the landlord could restrain him, and naturally the tenant would have to supply the information which the hon. Gentleman desired should be furnished. He was sure the hon. Member in the interests of the tenant farmers would not wish to place upon them the obligation of supplying the landlord with a detailed list of these matters. He thought his hon. friend might rest assured that it was not necessary, because it was never laid down in a lease that the tenant should be called upon to present to the landlord a full and accurate statement of the crops he had sold and the manures he had applied to the land.

MR. LYTTELTON (St. George's, Hanover Square) said he was glad to see lawyers on the Treasury Bench, for he had sat for some hours waiting to get an explanation from them. The Civil Lord had given it as his opinion that the injuction clause would meet the requirements set forth by his hon. friend behind him. He would point out that the particulars to which his hon. friend referred would be the particulars under the Amendment which had just been accepted that the tenant "shall make suitable and adequate provision to protect the holding from injury or deterioration." He thought the landlord ought to be entitled to these particulars in order that he might see whether this proviso was being fulfilled. The Civil Lord's view was that that particular requirement would be superfluous by reason of subsection (2) which prescribed—

"If the tenant exercises his rights under this section in such a manner as to injure or deteriorate the holding, or to be likely to injure or deteriorate the holding, the landlord shall be entitled to recover damages in respect of such injury or deterioration, or, as the case may require, to obtain an injunction restraining the exercise of the rights under this section in that manner, and the amount of such damages may in default of agreement be determined by arbitration."

His own view was that the landlord could not go for an injunction. It would be a good answer to an action for injunction if the tenant could say that under this clause he had provided, or was about to provide, "as soon as may be" adequate provision to protect the holding, and the action for injunction would accordingly be dismissed. The landlord, having seen these particulars, could satisfy himself whether they were sufficient and adequate, and if they were he could refrain from any legal proceedings. It was far better that he should do that than that he should go through an expensive process which might be quite unnecessary. His hon. friend's Amendment was a very reasonable one.

SIR W. ROBSON said he was in a little difficulty to know where the occasion for a lawyer came in. It was said sometimes that a little too much was seen of lawyers; but if they happened to be absent they were reproached for their absence. It was proposed by the Amendment to put on the tenant the somewhat novel requirement that he must keep accounts rather more elaborate than those which he was accustomed to keep. They ought not to impose such a requirement on the tenant unless there was some practical necessity for it. Why should it be imposed in this case? He saw nothing in the Bill to prevent agreements with regard to the supply of such particulars as the parties might think fair. Of course that would not apply to existing contracts, and to that extent there was some force in the suggestion of the hon. Member that some provision should be made for supplying particulars; but those who were engaged in agriculture could say whether it was not fairly easy for a practical man to see whether a holding had been deteriorated. He understood that the deterioration of a holding was not a matter dependent entirely, or at all, upon documentary evidence, but that it could be ascertained by an inspection of the holding as it stood. That appeared to him a simpler and better remedy than to put on the tenant this obligation of keeping books and of sending details to the landlord. Supposing the landlord had reason to believe that there had been unfair dealing with the land he would probably ask the tenant for the particulars here suggested. If the tenant refused, the landlord would then have his legal remedy. The landlord not being without a remedy, it was better that he should be left to take the course which he had indicated than that they should put on every tenant this novel and somewhat burdensome obligation.

COLONEL LOCKWOOD agreed with the hon. and learned Gentleman that this would be an onerous obligation to impose on every tenant, but he was impressed by what his right hon. and learned friend the Member for St. George's, Hanover Square, had said about an injunction. The only remedy they were leaving the landlords was by injunction. How long did it take to get an injunction? Must injunctions be taken out one by one, or could they take out a gross at a time? It was rather a serious thing for a landlord if one or two of his tenants were proceeding to ruin his land. Not a word had been said in the debate as to the cost of obtaining an injunction. What did an injunction cost?

SIR W. ROBSON said that that would depend on the kind of lawyer the right hon. and gallant Gentleman employed.

COLONEL KENYON-SLANEY said that on this point he thought that the Solicitor-General had given his case away because he was not a practical agriculturist. The hon. and learned Gentleman had said that anyone could estimate the amount of deterioration on the land by a casual inspection of it. He could assure the hon. and learned Gentleman that it was impossible to give an award as to the amount of deterioration without long observation and more than one year's inspection. The landlord might be under the impression that deterioration was going on because of the crops being sold off the farm, but he could not be assured of this unless he had the information as to the amount of crops sold off. It was in order to avoid difficulties with the tenant and the taking of legal proceedings that the Amendment was proposed.

MR. LUPTON said it might be a very good thing for the landlord to know the exact value of the crops sold off the farm by his tenant. But it was not fair to the tenant that he should be obliged to disclose to the owner the secrets of his business, and if the Government were to accept the Amendment proposed they would not be a Government after the next general election.

VISCOUNT HELMSLEY did not think it would be a hardship on a tenant to require him to keep a record of the crops sold off the farm and the manures bought, and to give that information to the landlord. It was information which would have to be given at any rate to the arbitrator. He hoped the Amendment would be accepted.

MR. AUSTEN CHAMBERLAIN said that the object of the Amendment was to give information to one party which was in possession of the other party without having to have recourse to litigation.

MR. CORRIE GRANT: Suppose the tenant does not give the information?

MR. AUSTEN CHAMBERLAIN said that that was the reason for his Amendment: the tenant would have to make a disclosure of the information wanted by process of law which was very expensive, and the landlord might be involved in very considerable cost. The hon. Member for Sleaford said that the tenant was not in the habit of keeping accounts.

MR. LUPTON declared he had said nothing of the sort. What he had said was that the tenant would object to be compelled to show his accounts to his landlord.

MR. AUSTEN CHAMBERLAIN said nobody asked the tenant to show his accounts to his landlord. It was essential that he should have these accounts. They would be necessary when the matter came before an arbitrator or when the landlord took out the injunction advised by the hon. and learned Soliciter-General advised him to take out against his tenant as a sort of method of genial persuasion.

SIR W. ROBSON said he really must ask the right hon. Gentleman to try to repeat his remarks correctly.

MR. AUSTEN CHAMBERLAIN said the hon. and learned Solicitor-General had advised that when a landlord considered that a holding was being deteriorated he should have recourse to an injunction. For himself he really did not think that that was the way to promote good feeling between landlord and tenant.

SIR W. ROBSON: I never said anything of the kind.

MR. AUSTEN CHAMBERLAIN said he did not understand what the hon and learned Solicitor-General meant, but of course he at once accepted his statement if he said that he did not use words to that effect. It appeared to him, however, that ill-feeling would be the inevitable result of this Bill. He was sure that it was the duty of the tenant to supply the information which the landlord required, and that if it were made a legal obligation the tenant would supply it at once and would not wait for the law to be put into operation against him.

MR. HUNT thought that, as the contract was going to be broken in favour of the tenant and the tenant was to be given extra privileges, he might go so far as to keep the accounts to show whether he had put back into the land what he had taken out.

Question put.

The House divided:—Ayes 57; Noes 164. (Division List. No. 405.)

AYES

Acland-Hood, Rt. Hn. Sir Alex. F
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Balfour, Rt. Hn. A. J. (City Lon.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beckett, Hon. Gervase
Bignold, Sir Arthur
Bull, Sir William James
Carlile, E. Hildred
Castlereagh, Viscount
Cavendish, Rt. Hon. Victor C. W.
Cecil, Lord John P. Joicey-
Chamberlain, Rt. Hn. J. A. (Wor.
Coates, E. Feetham (Lewisham
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.
Craig, Captain James (Down, E.
Dalrymple, Viscount
Finch, Rt. Hon. George H.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Helmsley, Viscount
Hills, J. W.
Kenyon-Slaney, Rt. Hon. Col. W
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Long, Rt. Hn. Walter (Dublin, S
Lyttelton, Rt. Hon. Alfred
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
Pease, Herbert Pike (Darlingt'n
Percy, Earl
Randles, Sir John Scurrah
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Scott, Sir S. (Marylebone, W.
Smith, Abel H. (Hertford, East)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Thomson, W. Mitchell- (Lanark)
Turnour, Viscount
Valentia, Viscount
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Mr. Hicks Beach and Mr. Hunt.

NOES.

Abraham, William (Cork, N.E.
Allen, A Acland (Christchurch)
Allen, Charles P. (Stroud)
Baring, Godfrey (Isle of Wight)
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beauchamp, E.
Beaumont, Hon. H. (Eastb'rne)
Beaumont, Hn. W. C. B. (H'x'm)
Benn, Sir J. Williams (D'v'np'rt
Benn, W. (T'w'r H'ml'ts, S. Geo.
Bennett, E. N.
Bertram, Julius
Bethell, Sir J. H. (Essex, R'mf'd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Brace, William
Bramsdon, T. A.
Brocklehurst, W. D.
Brooke, Stopford
Brunner, J. F. L. (Lancs, Leigh)
Burns, Rt. Hon. John
Burnyeat, W. J D.
Byles, William Pollard
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cooper, G. J.
Corbett, C. H. (Sussex, E. Gr'st'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crossley, William J.
Dalziel, James Henry
Delany, William
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Fuller, John Michael F.
Gibb, James (Harrow)
Ginnell, L.
Glendinning, R. G.
Goddard, Daniel Ford
Grant, Corrie
Hardie, J. Keir (Merthyr Tydvil
Hardy, George. A (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Haworth, Arthur A.
Helme, Norval Watson
Henderson, Arthur (Durham)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Idris, T. H. W.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Kekewich, Sir George
King, Alfred John (Knutsford)
Lamb, Ernest H. (Rochester)
Lambert, George
Layland-Barratt, Francis
Lever, A. Levy (Essex, Harwich
Levy, Maurice
Lundon, W.
Lupton, Arnold
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Crae, George
M'Killop, W.
Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln)
Markham, Arthur Basil
Marks, G. Croydon (Launceston
Meagher, Michael
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Charles N. (Donc'r)
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearson, W. H M. (Suffolk, Eye)
Pollard, Dr.
Price, Robert John (Norfolk, E.)
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Richards, Thomas (W. Monm'h
Richards, T. F. (Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rowlands, J.
Samuel, Herbert L. (Cleveland)
Scott, A. H. (Ashton-under-Lyne
Seddon, J.
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Smyth, Thomas F. (Leitrim S.)
Soames, Arthur Wellesley
Stanger, H. Y.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Taylor, John W. (Durham)
Thomas, Sir A. (Glamorgan, E.
Thompson, J. W. H. (Somerset E
Thorne, William
Tomkinson, James
Trevelyan, Charles Philips
Ure, Alexander
Ward, W. Dudley (Southampt'n
Wason, Eugene (Clackmannan
Wason, John Cathcart (Orkney
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Wilson, W. T. (Westhoughton
Winfrey, R.
Wodehouse, Lord (Norfolk, Mid

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. MITCHELL-THOMSON moved to insert after the words last inserted, the Amendment standing in the name of the hon. and gallant Member for Hornsey, by which it was provided that an intimation should be given by the tenant to the landlord, before he made any change, of his intention to make a change in the mode of cultivation. No one would suggest that such an intimation was not justly and fairly due. The second point was far more important. It dealt with the making of adequate provision. The words of the Bill were "suitable and adequate." He supposed no words had been so fruitful a source of emolument to the learned gentlemen of the long robe as the words "suitable and reasonable" for many years past, and the words of the

Bill would be just as fruitful. He submitted that they should set out exactly what they meant by the words "suitable and adequate." The Amendment provided for that, and also for the adjustment of any difficulty that might arise between the landlord and the tenant as to what was adequate. He submitted that if this clause were retained, it would be necessary to put in some words to define the meaning of "suitable and adequate," or some machinery of this kind. He begged to move.

MR STANLEY WILSON formally seconded.

Amendment proposed—

"In page 2, line 37, [after the words last inserted, to insert the words 'provided that before departing from the mode of such cultivation, cropping, or disposal of product proscribed in the contract of tenancy he shall have made written intimation to the landlord of his intention to do so and in what manner, and, if required by the landlord, shall have made adequate provision, to the satisfaction of a single arbitrator, appointed by the Board of Agriculture, to protect the holding from injury or deterioration; the fee and expenses of such arbitrator to be borne equally by the landlord and the tenant.' "—(*Mr. Mitchell-Thomson.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. LAMBERT said it semed that hon. Gentlemen opposite had suddenly developed a love for what before they had termed gentleman of the long robe, because if anything would assist them this clause must do so. In any ordinary case, if a man took a crop off the land and put on a second crop but manured the land properly the landlord was uninjured but the tenant was benefited. He also saw that the arbitrator was to be appointed by the Board of Agriculture, but one of the arguments adduced by hon. Members on Clause 1 was that the tenants were to have a voice in the selection of the arbitrators. This Amendment was contrary to all those arguments. He further noticed that it proposed to upset the Act of 1900 by saying that the fees of the arbitrator were to be borne equally by landlord and tenant, whereas by Act of 1900 the arbitrator had power to award the costs in his discretion. He wished to point out that the hon. Member's object was really covered by sub-section (2) of Clause 2 which gave the landlord ample right to protect himself. He was sorry that he could not accept the Amendment.

VISCOUNT TURNOUR said they had had a great many hon. Members in charge of this Bill, but the hon. Member now in charge had shown himself to be the most capable of them all. [Cries of "Oh, oh."] Those interruptions were as meaningless as they were discourteous, and he appealed to the Deputy-Chairman for protection against the interruptions of hon. Gentlemen below the gangway. It seemed that no hardship would be done to the tenants by the acceptance of this Amendment, and the landlord would enjoy more freedom when the Bill became law under this Amendment than under the clause as it now stood.

COLONEL KENYON-SLANEY did not think the hon. Member in charge of the Bill saw both sides of the question. Suppose a landlord had let his farm to a tenant under a contract, and he was going to crop the farm according to the custom of the country. Believing in the man he would not attempt to follow him about or to spy upon his system of farming. The farmer in the natural exercise of his right thought perhaps he could improve upon the system. Before he did it, he would give notice to his landlord of the fact and probably he would find his landlord ready to help him to carry out his improvement.

*MR. CLEMENT EDWARDS (Denbigh District): The same as you did with Mr. Horne.

COLONEL KENYON-SLANEY asked if the hon. Member who made that interruption would stand up in his place so that he might see him, and so that he might know in what corner of the House there sat a slanderer.

*MR. CLEMENT EDWARDS: Certainly. It was I, the Member for Denbigh Boroughs.

*THE DEPUTY-SPEAKER: I did not hear the remark of the hon. Gentleman below the gangway on the Government side, but the right hon. and gallant Gentleman must know that his phrase is entirely unparliamentary.

COLONEL KENYON-SLANEY: Mr. Deputy-Speaker, I want to make my point clear. I have been subjected seven or eight times in the course of this particular debate to a personal allusion which is most uncourteous, most unfair, and which, in my opinion is decidedly slanderous, because it is untrue. [Cries of "What is it?"]

*THE DEPUTY-SPEAKER: The right hon. Gentleman has used the word "slanderer," and I must ask him to withdraw it. I am very sorry that these taunts which hurt the right hon. Gentleman so much are made from time to time. I really did not hear what was said, but I would appeal to hon. Members not to make these interruptions.

COLONEL KENYON-SLANEY: I immediately withdraw any words you, Sir, think unparliamentary, but I am equally certain that if you knew what was meant by the words, you would hardly have thought my retort too strong. And in that I shall be fortified by the opinion of many hon. Members on the other side of the House.

MR. LYTTELTON said he could not add anything to the words which his right hon. and gallant friend had used when he was so discourteously interrupted. When a tenant was going to make an experiment upon his land his natural good feeling towards his landlord would cause him to make an intimation of the sort suggested, and they could talk it out together and gain the value of each other's experience. He agreed with the Civil Lord that the last four lines of the Amendment after the word "manner" were superfluous because the landlord was already adequately protected under subsection (3). He pressed the Government most earnestly to accept this Amendment down to the word "manner."

MR. COCHRANE said that under the clause as drafted there appeared to him to be no intimation to be made. After all, it would be a very simple thing for the tenant who was going to make the change to send a postcard or letter to his landlord and intimate in writing that he proposed to do so. He could not conceive in that anything hostile to the principle of the Bill. On the contrary, he thought it would strengthen very greatly the position of both landlord and tenant. If this Bill was being promoted not for the benefit of the tenant farmer or of the landlord but to give extra jobs to the members of the legal profession, then they must find what they had been seeking, namely, some adequate reason why a Bill of such a preposterous character had been brought before the House. He moved to leave out of the Amendment all the words after the word "manner."

MR. HUNT seconded.

Amendment to the proposed Amendment—

"To leave out all the words after 'manner.'"—(*Mr. Cochrane.*)

Agreed to.

Question proposed, "That those words, as amended, be there inserted in the Bill."

MR. HUNT expressed the hope that the Government would accept the Amendment. It would do no possible harm and it was very likely to enable matters between landlord and tenant to be more easily arranged. If a tenant went to the landlord and said that he wanted to alter his cropping, it was very likely that the landlord would agree after talking over the matter, and there would be no more trouble about it.

VISCOUNT HELMSLEY thought the Amendment should be accepted. The clause as it stood at present not only gave freedom to the tenant to depart from the ordinary rotation of crops, but it also gave him the right to farm any crop which he thought might, with advantage, be grown in the district. Suppose a farmer took it into his head that his land was suitable for growing tobacco, there was nothing in the clause to prevent him planting tobacco. The least that could be expected was that the landlord should be informed of the tenant's intention to make a change. Personally, he was against the clause altogether, but if freedom of cropping was to be allowed this Amendment should be accepted, as the landlord had a right to know what was going to take place. If the clause contained this stipulation there would be far less suspicion between landlord and tenant than there would otherwise be.

MR. WYNDHAM said the Civil Lord's chief objection to the Amendment in its original form was that it would increase litigation. That had now been removed, and he hoped the Government would agree to some form of written intimation being given to the landlord that the tenant intended to make a new experiment.

SIR W. ROBSON said there was one reason against putting in these words, though it might not be conclusive, but it was one which ought certainly to be taken into account when it was proposed to put on any class a new legal obligation. They were by this clause giving freedom of cropping. He was sure that everybody would see that it was desirable to avoid a man being deprived by some little legal technicality of a right which he had expected and had earned. For that reason it was undesirable that they should multiply the technicalities involved in the Amendment.

MR. WALTER LONG said that the hon. and learned Gentleman opposed the Amendment on the ground that it interposed a legal technicality between the tenant and his right; but the words of the Amendment were precisely the formula adopted in the Agricultural Holdings Act. It was surely better in the interests of the tenant himself, and it could not be a hardship, to impose upon him the condition that before embarking on a new method of cultivation he should tell his landlord of it. He could not understand the reason for the refusal to accept the Amendment.

MR. CORRIE GRANT said if the right hon. Gentleman had listened to the speeches of hon. Members behind him—experienced landlords and tenants—he would have known that at present good tenants were permitted by good landlords to crop their land as they pleased. As to the cost of litigation an *ex parte* injunction against a tenant for a breach of the contract of his tenancy could be got in Chambers within a few hours, and at a small cost, so that the hon. Gentleman's argument fell to the ground.

MR. JESSE COLLINGS (Birmingham, Bordesley) said he had not taken much part in the discussions on the Bill, because some of the provisions in it, he thought, were good. He believed the motive of the clause was to give the tenant freedom of cropping as far as that could be done. At present everything was regulated by a good understanding between landlord and tenant, and that worked fairly well, although it was not a business transaction in an industry the magnitude of which was more than equal to all the other industries in the country. He had always avoided the use of the term "bad landlord;" he preferred the term "commercial landlord." It was rather curious that if a man in commercial life made the best of his property he was called a clever fellow, but if a landlord took the best advantage of his property he was called a bad landlord. Therefore he called such a man a commercial landlord as distinguished from a philanthropic landlord. It was impossible to frame a Land Tenure Bill without doing some injury to either landlord or tenant, and the only way of settling it was for the farmer to become owner of his holding. A good understanding was the best possible security under our system of landlord and tenant. It was in favour of a good tenant and a good landlord; they always acted well together. But how about the bad farmer? We had the finest farmers in the world, but at the same time we had a class—he was afraid it was an increasing class—who took farm after farm and farmed them as a lodger, and not as the holder of a permanent holding. What about the lodger farmer? Let them take the latter part of the clause dealing with cases in which the landlord saw, or thought he saw, that his farm had been deteriorated.

MR. MADDISON (Burnley) rose to a point of order. He asked whether the right hon. Gentleman was now in order in discussing the clause generally, instead of the Amendment which dealt with giving notice to the landlord.

MR. DEPUTY SPEAKER said he thought the right hon. Gentleman was discussing much more the general principle of the clause than the Amendment.

MR. JESSE COLLINGS was sorry if he had done so, but it was absolutely impossible to discuss this clause, and especially the Amendment of it, without having regard to the present relations between landlord and tenant, which the present proposals would so vitally alter. If one could not refer to the Bill as it now stood, how could one deal with the Amendment? He supposed that he was in order in referring to the last few lines of the clause. He was delighted to hear the hon. Member for Rugby say that there was such a thing as cheap law. He did not think anybody had ever heard of it.

MR. CORRIE GRANT remarked that he had never said anything of the kind. What he said was entirely different. He had said that there was a cheap process of getting an injunction. He had said that injunction was a cheap process. [Cries of "How."] By a summons at Chambers and an application on an affidavit.

MR. JESSE COLLINGS said he was not a lawyer, but he thought that getting an injunction was a process of law, and law was not cheap. He was astounded to hear the objection which the Solicitor-General brought forward, that it was wrong and inadvisable to introduce purely technical obligations between landlord and tenant. Why, this Bill bristled with technical obligations. It was better to have technical obligations which everyone who ran might read requiring that everything that the tenant was going to do should be told to the landlord. It was better to impose a simple state of things like that rather than to leave it to this cheap process of law, which if an injunction was obtained would cost money. And, moreover, if the result was in favour of the landlord how was he going to enforce it? Was he going to turn the tenant out? Then he would, he supposed, be sued for compensation for disturbance. If he sued the tenant for damages how could he prove the damages, which might have been going on for two or three years? He knew a farm in the Midland Counties which for many years had been a model farm. The stackyards were full and the understanding between landlord and tenant was perfect. For the last four years that farm had been going down and down. It might be said that the landlord should have applied for an injunction in the first year, but he did not, and now if he turned the tenant out the farm was ruined. The landlord therefore said, "I had better let him go on, as he pays a fair rent." If there was anyone present who was authorised to accept an Amendment on behalf of the Government, it was, he thought, in the interest of the Bill that this Amendment should be accepted. It would enact a common sense thing, and he urged the Solicitor-General to accept it.

At this point SIR H. CAMPBELL-BANNERMAN entered the House from behind Mr. Speaker's chair.

MR. A. J. BALFOUR said perhaps it would be at this hour convenient if he were to move the adjournment of the debate if only for the purpose of informing the right hon. Gentleman of what had happened since he left the House at Question time yesterday. They commenced the debate on the clause with which they were now engaged about eight o'clock on the previous evening.

SIR H. CAMPBELL-BANNERMAN said he might save the right hon. Gentleman some time if he said he was in the House until eleven o'clock when the right hon. Gentleman himself was not present.

MR. A. J. BALFOUR said that from the last interruption of the right hon. Gentleman it would appear that he was in the building but not in the House, for he (Mr. Balfour) made at least one long speech. But the right hon. Gentleman who so faithfully kept the eleven o'clock rule in his own person unfortunately had to leave the House before some of the difficulties in which they were involved became acute. When they had pressed the Government for some consideration the adjournment of the debate was moved, and the Patronage Secretary, who in the absence of the right hon. Gentleman acted as Leader of the House, informed them that unless they could finish the whole Bill by this night it would be impossible to avoid sitting beyond Christmas.

MR. GEORGE WHITELEY said what he remarked was that the House would not want probably to sit beyond Christmas, and if that discussion was protracted to any great length it might have to.

MR. A. J. BALFOUR said the courtesy of the hon. Gentleman was impeccable, but he certainly believed that the hon. Gentleman gave them to understand that unless they could finish the Bill by to-night ["No" and "Yes"] it would not be possible to avoid sitting after Christmas. The sitting went on as these all-night sittings usually did, with one or two notable exceptions. The most notable exception occurred a little later on in the early morning, when they again as was customary on such occasions raised the question of how the time of the House was to be used. Again the Patronage Secretary got up and informed the House that he certainly meant to take no steps to relieve them from the labours upon which they were engaged until the right hon. Gentleman opposite came down to the House. He was the last to grudge the right hon. Gentleman his night's repose, but it did seem hard that his repose should be the measure of their exertions, and that the longer he slept the less sleep they were to have. But the moment had come when they were again blessed with the presence of the right hon. Gentleman, and he would seriously ask him whether he did not think a termination might be put to the discussion. They had not yet finished Clause 4, and the next clause, Clause 5, involved a principle of a very far-reaching character. The right hon. Gentleman knew the Opposition had a rooted objection to that principle, which had its birth in Ireland under very different circumstances, being transported to England and Scotland, and they would not be doing their duty if they did not meet it with the most strenuous opposition. He did not think it was fair that they should be asked to proceed with the discussion of that principle immediately after an all-night sitting. He did not think that would be a wise course for the right hon. Gentleman to adopt or a very creditable course for the House to pursue. He therefore ventured to appeal to the right hon. Gentleman who came calm and fresh to the heated scene of their labours of the last sixteen hours, and to put it to him that it would be better to have some pause before they dealt with the critical provisions of Clause 5.

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. A. J. Balfour.*)

SIR H. CAMPBELL-BANNERMAN said the right hon. Gentleman had spoken with perfectly good humour, a spirit which he fully recognised and reciprocated. He had, however, indulged in some rather depreciatory observations in consequence of his absence. Perhaps he might relieve the Leader of the Opposition's mind upon this subject by stating that he could produce a medical certificate which would justify his absence.

MR. A. J. BALFOUR interposed and said that under the circumstances he wished to withdraw all references to the Prime Minister's absence.

SIR H. CAMPBELL-BANNERMAN expressed his regret that on other occasions from the same cause he was obliged to be less closely in attendance at the House than he would like to be. However, he thought he could improve on the well-known lines of Lucretius. From a safe shore he had not had the opportunity of witnessing the perils of the deep encountered by others. But he had even done better, because he had heard a description of them from those who had been present. He understood, and the right hon. Gentleman's speech confirmed the understanding, that the proceedings, although protracted and well sustained, had been good humoured throughout. The man in the street, when he saw "All-night Sitting," thought Members had been rushing at each other, and that there had been constant squabbling and almost indecent contests; whereas sometimes there were very long periods, as his experience went in these matters, of apathy and indifference, and the only thing that was consumed was time. They had now arrived at a critical stage of this Bill. He admitted that it was a Bill that justified a considerable amount of feeling on the part of hon. Members opposite, but his hon. friends behind him, believing that they were supported by a strong feeling in the country, naturally they were anxious and determined to proceed with the measure. He thought they had now come to a period when an arrangement might be made, and he proposed that they should not move to suspend the eleven o'clock rule to-night nor to-morrow night; that they should get Clause 4 at this stage, continue the Bill this evening, and that on Wednesday they might expect to get the conclusion of this stage of the Bill before eleven o'clock. Hon. Members might lay it to their credit and glory, if they associated glory with it, that they had got another day for the discussion.

Mr. A. J. BALFOUR thought he might say, on behalf of his friends, that they were prepared to accept the suggestion of the Prime Minister. To avoid some little accident, he thought it would perhaps be better to suspend the eleven o'clock rule on Wednesday.

Sir H. CAMPBELL-BANNERMAN said it was far from him to insist on that point when the Leader of the Opposition was anxious to have the facility.

Mr. A. J. BALFOUR asked leave to withdraw his Motion.

Motion, by leave, withdrawn.

Question, "That those words, as amended, be there inserted in the Bill," put, and negatived.

Amendment proposed—

"In page 3, line 8, at the end, to insert the words, '(3) A tenant shall not be entitled to any compensation in respect of manures as defined by The Agricultural Holdings Act, 1900, which have been used for the purpose of making adequate provision to protect the holding from injury or deterioration in cases where the tenant has so exercised his rights under this section that the holding would have been injured or deteriorated if such manures had not been used.'"—(*Sir Edward Strachey.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. LAMBTON moved an Amendment to the Amendment that after the word "been" in the third line the following words should be inserted "applied to the holding in respect of the crops sold off or removed therefrom as required by Section 4."

Amendment proposed to the proposed Amendment to the Bill—

"In line 3, after the word 'been,' to insert the words 'applied to the holding in respect of crops sold off or removed therefrom as required by Section 4, or which have been.'"—(*Mr. Lambton.*)

Question proposed, "That those words be there inserted in the proposed Amendment to the Bill.

Mr. LAMBERT said his Amendment had been somewhat sprung upon the House and they had not had time to consider it. He hoped the noble Lord would accept his assurance that he would carefully consider the matter, and if it was found necessary words would be inserted in another place.

Amendment, by leave, withdrawn.

Original Amendment agreed to.

Proposed words there inserted in the Bill.

Motion made, and Question, "That the further consideration of the Bill, as amended, be now adjourned"—(*Mr. Whiteley*)— put, and agreed to.

Bill, as amended (by the Standing Committee) to be further considered this day.

ADJOURNMENT.

Motion made, and Question, "That this House do now adjourn"—(*Mr. Whiteley*)— put, and agreed to.

Adjourned accordingly at twenty minutes before ten o'clock a.m.

HOUSE OF COMMONS.

Tuesday, 13th November, 1906.

The House met at quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Great Northern Railway (Ireland) Bill [Lords]. Reported, with Amendments. Report to lie upon the Table, and to be printed.

PETITIONS.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petition from Fazeley, in favour; to lie upon the Table.

TURNER, WILLIAM BARWELL.

Petition of William Barwell Turner, for inquiry into his case; to lie upon the Table.

RETURNS, REPORTS, ETC.

RAILWAYS (FOREIGN COUNTRIES AND BRITISH POSSESSIONS.

Return ordered, "showing, so far as the particulars can be obtained, (a) in what Foreign Countries and British Possessions other than those covered by the Return ordered on the 2nd day of July, 1906, the Railways have been in whole or part either built or acquired by the Government; (b) the cost of building or acquisition of such Government Railways, and in the latter case the precise date and terms of purchase; (c) the financial results in each case, showing, *inter alia*, the revenues, working expenses and net loss or profit for the last two years for which figures are available, and what amounts of capital, if any, have been repaid out of revenue."—(*Mr. Chiozza Money.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Shipbuilding Programme—Great Britain, France and Germany.

MR. COWAN (Surrey, Guildford): To ask the Secretary to the Admiralty whether he can state what was the Vote for shipbuilding, repairs, and armaments in 1901–2 for Great Britain and the aggregate sums for France and Germany; whether he can give similar figures for the present year; and whether he can state approximately by how much our own expenditure under this head will be reduced in 1907–8.

(*Answered by Mr. Edmund Robertson.*) The following statement gives the information required by the hon. Member for the years 1901–2 and 1906–7. The information asked for in respect of the expenditure of Great Britain in 1907–8 is not yet available:—

Great Britain.

	1901–2. Actual Expenditure.	1906–7. Estimate.
	£	£
Shipbuilding - - - - - -	8,865,080	9,252,131
Repairs and maintenance of material (*i.e.*, hulls, machinery and equipment, anchors, cables, &c.), but not stores - - - - - -	1,771,420	1,628,100
Armament and first outfit of ammunition for new ships and re-armed ships - - - - - -	1,546,600	1,624,500
Repairs and maintenance of guns and torpedoes - - - - - -	133,900	67,400
Total - - - - -	12,317,000	12,572,131

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

France and Germany.

Aggregate Sums voted or expended for Shipbuilding, Repairs, and Armaments.

	1901. (Expended.)	1906. (Voted.)
	£	£
France (financial year, January to December) - - - - -	6,096,446	6,293,320
Germany (financial year, April to March) - - - - - -	5,982,011	6,764,063
Total aggregate - -	12,078,457	13,057,383

Excess at Spirit Store Stocktaking, at Glen-Glassaugh Distillery, Portsoy.

MR. MEEHAN (Queen's County, Leix): To ask the Secretary to the Treasury whether an increase or excess on a spirit store stocktaking at a distillery, when the balance is struck for the period according to Sub-section 9 of Section 43 of 43 and 44 Vic., c. 24, is an unnatural, or an unusual result of the distiller's operations for a period, and the balancing for a period; and, if unnatural or unusual, does it denote that either fraud on the distiller's part has taken place or that a blunder has been committed by the Excise officials connected with the distillery or any other mistake committed; and what was the source or cause of the excess or increase found at Glen-Glassaugh distillery, Portsoy district, when the balance was struck for the period on October 28th, 1905.

(*Answered by Mr. Runciman.*) I am informed that the finding of an excess in the stock of spirits in the circumstances stated is not common. But it is quite possible for it to occur without either fraud on the distiller's part or a blunder having been committed by the Excise official. On the date named, an excess of four-fifths of a gallon was discovered in the stock at Glen-Glassaugh distillery, and duty was charged upon it; but it was not considered necessary by the Board of Inland Revenue to call for an explanation of this trifling excess.

Retiring Age of Clerks to Surveyors of Taxes.

MR. SLOAN (Belfast, S.): To ask the Secretary to the Treasury whether he will state the grounds on which the retirement order of established Civil servants was applied to the late clerk to an inspector of taxes in Scotland who, it is alleged, held an unestablished position; whether he will state on what basis the gratuity of £78 was computed; whether he is aware that such clerk was only in receipt of 30s. wages weekly up to his thirty-first year of service; whether he will state total service of such clerk; and whether he will state the amount of pension such clerk would have been entitled to had his position been an established one.

(*Answered by Mr. McKenna.*) The Order in Council requiring established Civil servants to retire at sixty-five is not applicable to the clerk referred to, but such clerks are required by the Department to retire on attaining the age of sixty-two in the absence of any special reason to the contrary. The gratuity of £78 was calculated at half the annual pay of the clerk. It is a fact that his wages were only 30s. a week up to his thirty-first year of service. He would have been qualified for a pension of £101 13s. 6d. per annum if his position had been an established one.

Sentences of Flogging.

Mr. LLOYD MORGAN (Carmarthenshire, W.): To ask the Secretary of State for the Home Department whether he will state the number of prisoners sentenced to be flogged who were sent on by the justices to the sessions to be dealt with under the Vagrancy Act during the years 1904 and 1905 respectively; the names of the sessions where such sentences were passed; the offences the prisoners had committed: and the sentences passed.

(*Answered by Mr. Secretary Gladstone.*) The following is a list of the cases of persons who in 1904 and 1905 were dealt with at sessions under the Vagrancy Act, and were sentenced to be whipped :—

Place of Conviction.	Offence.	Sentence.
	1904.	
Dorset County Sessions, 19th October, 1904	Convicted of lodging out, after previous conviction as a rogue and vagabond (17 previous convictions, 6 for sleeping out)	1 month hard labour and 12 strokes with a birch rod
Gloucester County Sessions, 22nd June, 1904	Indecent exposure of his person with intent to insult certain females on the public highway, after a previous conviction as a rogue and vagabond (for the same offence)	6 calendar months hard labour and 12 strokes with a birch rod
Lancaster County Sessions, 1st December, 1904	A male person living on the earnings of prostitution, after a previous conviction as a rogue and vagabond (2 previous convictions, 1 for the same offence)	8 calendar months hard labour and 10 strokes with the cat
London County (North) Sessions, 12th July, 1904	A male person soliciting and importuning other male persons for immoral purposes (6 previous convictions, 2 for similar offences)	12 months hard labour and 12 strokes with a birch rod
Sussex (West) County Sessions, 7th April, 1904	Indecently exposing his person with intent to insult a female, after previous conviction as an incorrigible rogue and vagabond (2 previous convictions, both for the same offence)	4 calendar months hard labour and 25 strokes with a birch rod. (In this case the whipping was remitted on medical grounds)
Middlesex County Sessions, 28th May, 1904	Indecently exposing his person in a public place with intent to insult females (2 previous convictions, 1 for the same offence, the other for indecent assault)	12 calendar months hard labour and 12 strokes with a birch rod

Place of Conviction.	Offence.	Sentence.
	1905.	
Dorset County Sessions, 4th January, 1905	Begging, after a previous conviction as an incorrigible rogue and vagabond (7 previous convictions for similar offences)	1 month hard labour and 12 strokes with a birch rod
Dorset County Sessions, 28th June, 1905	Lodging out, after previous convictions as an incorrigible rogue and vagabond (the same man as in the last case)	1 month hard labour and 25 strokes with a birch rod
Dorset County Sessions, 28th June, 1905	Lodging out, after previous convictions as an incorrigible rogue and vagabond (11 previous convictions)	1 month hard labour and 12 strokes with a birch rod
Dorset County Sessions, 5th April, 1905	Indecently exposing his person in a shop with intent to insult a female (19 previous convictions, 1 for the same offence and 1 for aggravated assault on a female)	1 month hard labour and 12 strokes with a birch rod
Worcester County Sessions, 16th October, 1905	Indecently exposing his person with intent to insult a female, after previous conviction as a rogue and a vagabond (8 previous convictions, 7 for the same offence)	2 calendar months hard labour and 12 strokes with a birch rod

On 12th August, 1905, my predecessor wrote to the Chairman of Quarter Sessions for Dorset, expressing a strong opinion that birching is not an appropriate punishment for the offence of "sleeping out," however often the offence may have been repeated. In this opinion I entirely concur.

Enamel Ware Utensils in Prisons.

MR. PICKERSGILL (Bethnal Green, S.W.): To ask the Secretary of State for the Home Deparment if he will state why effect has not been given to the recommendation of the Departmental Committee on Prison Dietaries in 1898, that the tin utensils used in prisons in the service of the food should be replaced by enamel ware.

(*Answered by Mr. Secretary Gladstone.*) The enamel ware was tried, but it was not found desirable to bring it into general use. It was unsatisfactory for cooking utensils on medical grounds, the enamel was liable to chip, and the chips swallowed were injurious to health. As regards service utensils, its general introduction would have cost £4,000, and the cost of maintenance would have been doubled. In these circumstances I am not prepared to press the Prison Commissioners to make any alteration.

Working of the "Pioneer" Fishing Cruiser.

MR. CATHCART WASON (Orkney and Shetland): To ask the Secretary for Scotland if he can give an approximate account to date of the working of the "Pioneer"; if she is now at work and where; and if he has had further communication with the manufacturers of the motor relative to the working of the capstan.

(*Answered by Mr. Sinclair.*) As the "Pioneer" is engaged in the prosecution of the English herring fishing, and as that fishing will probably soon come to a close, it is desirable to delay furnishing a report upon her working until the termination of the English fishing. The "Pioneer" is fishing from Yarmouth. There has been no further communication with the manufacturer of the motor relative to the working of the capstan. This matter and the advisability of further experiments will be considered at the conclusion of the English fishing.

Greenwich Age Pensioners.

MR. BRAMSDON (Portsmouth): To ask the Secretary to the Admiralty if he will say how many men are now eligible to become Greenwich Age Pensioners, and how many actually receive these pensions; what is the annual amount set apart from Greenwich Hospital funds for the purpose of paying these age pensions, and how much would be required annually if all eligible men were actually provided for; and will he give similar information with reference to the years 1891 and 1895.

(*Answered by Mr. Edmund Robertson.*)

	1891.	1895.	1906.
Number of men eligible for Greenwich Hospital Age Pensions - - -	10,300	10,250	12,630 (Approximate numbers)
Number in receipt of Pension - -	7,500	10,000	9,050
Amount set apart from Greenwich Hospital Funds - - - -	£79,800	£100,000	£100,900

The provision of pensions for all men eligible would involve an expenditure for the present year of £128,000.

Revision of Estimates for School Buildings in Ireland.

MR. J. P. FARRELL (Longford, N.): To ask the Secretary to the Treasury what progress, if any, has been made during the past three months with the revision of estimates for school building in Ireland under Plan VI. (a); and whether the Board of Education are still refusing to accept the amended plan.

(*Answered by Mr. McKenna.*) The position has not changed, so far as is known, since the reply of my hon. friend to a similar Question by the hon. Member for the South Division of Kerry on the 24th July last.†

Longford Petty Sessions Clerkships.

MR. J. P. FARRELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state which of the Law Officers of the Crown was consulted upon the subject of the Longford petty sessions clerkship, which was filled by election on the 8th June, when Mr. E. Daly M'Cann was appointed: whether in this case the opinion of the chief Crown solicitor for Ireland was taken; and, if so, whether such matters are as a rule referred to him or to the Attorney-General or Solicitor-General for Ireland.

(*Answered by Mr. Bryce.*) It would be entirely contrary to practice and plainly inconsistent with principle to give the detailed information asked for in the Question.

Opium consumed in the Federated Malay States and Singapore.

MR. A. ALLEN (Christchurch): To ask the Under-Secretary of State for the Colonies whether he is now able to give the Return promised on the 16th July of the quantity of opium consumed and the amount of revenue derived therefrom during the last ten years in the Federated Malay States and Singapore.

---

† See (4) *Debates*, clxi., 1052.

(*Answered by Mr. Churchill.*) The Secretary of State has not yet received the Report for which he has asked from the Governor of the Straits Settlements, who will be reminded of the matter.

Retiring Allowance of Richard Bewsey, Office of Works.

MR. ALDEN (Middlesex, Tottenham): To ask the First Commissioner of Works whether he is aware that Richard Bewsey, belonging to the lighting and ventilating department, after thirty-one years service, has been retired; would he state what amount Mr. Bewsey received as a free grant; and whether, under the circumstances of the case, he could see his way to establish an old age pension scheme for such aged and deserving servants.

(*Answered by Mr. Harcourt.*) The reply to the first inquiry is in the affirmative. Richard Bewsey received a gratuity of £58 18s. on retirement. The principle involved in the last Question is one for the Treasury to deal with, as other Departments than the Office of Works are concerned in it.

Charge of Books at Public Schools in Ross and Cromarty.

MR. WEIR (Ross and Cromarty): To ask the Secretary for Scotland if he will state whether a charge is made for books at any of the public schools in Ross and Cromarty; and, if so, will he give the names of such schools.

(*Answered by Mr. Sinclair.*) All the information which I can give to my hon. friend is that in five cases, viz., Lochbroom, Ardindrean Public School, Lochbroom, Badcaul Public School, Lochbroom, Ullapool Public School, Stornoway, Bayble Public School, Stornoway, Tolsta Public School, the school accounts show receipts from books or other articles sold to children.

"Destroyers" laid down by Great Britain, France, and Germany, since 1899.

VISCOUNT TURNOUR (Sussex, Horsham): To ask the Secretary to the Admiralty what is the total number of destroyers laid down by Great Britain, France, and Germany, respectively, since 1899, and including those to be laid down under this year's estimates, specifying separately the type known as coastal destroyers.

(*Answered by Mr. Edmund Robertson.*) The total number of destroyers laid down since 1899 by France and Germany is fifty-three and forty-eight respectively. The number laid down by Great Britain is sixty-eight, of which twenty-four are coastal destroyers. In addition, eleven torpedo boats have been built, closely approximating in size, etc., to the coastal destroyer type.

Naturalisation Fees.

MR. STUART SAMUEL (Tower Hamlets, Whitechapel): To ask the Secretary of State for the Home Department if he can state the fee charged for naturalisation in the principal States of Europe and America; and, if not, will he take steps to obtain the information.

(*Answered by Mr. Secretary Gladstone.*) It is not possible to make an exact comparison between the cost of naturalisation in the United Kingdom and in other countries, having regard, amongst other things, to the differences in practice and expense in connection with preliminary procedure. The best information in my possession, obtained by inquiries which I instituted some time ago, is given in the following statement:—

Naturalisation Fees in Foreign Countries.

United States of America .	11 dollars.
France . .	175 francs, 25 centimes.
Germany .	The fee varies in the several component States of the Empire from 1 mark, 75 pf. to 300 marks.
Italy . .	240 lire.
Norway . .	Nil.
Russia . .	1 rouble, 50 copecks.
Sweden . .	£1 2*s.* 2*d.*
Switzerland .	Federal fee, 20 francs. Communal, nil to £48. Cantonal, nil to £160.

Petition of Assistant Clerks, Statistical Office, Custom House.

MR. WATERLOW (Islington, N.): To ask the Secretary to the Treasury when an answer will be given to the petition forwarded in June last by the assistant clerks (new class) employed in the Statistical Office, Custom House.

(*Answered by Mr. Runciman.*) A reply to this petition was sent on the 2nd instant.

Retired Civil Servants and Candidature for Parliament.

MR. W. T. WILSON (Lancashire, Westhoughton): To ask the Secretary to the Treasury whether there is any minute, regulation, or statutory enactment which renders a person in receipt of a pension as a retired Civil servant incapable of becoming a candidate for Parliament; and whether such a person, on being elected, would forfeit his pension.

(*Answered by Mr. Runciman.*) The Answers to both parts of the Question are in the negative.

Ecclesiastical Commissioners on Tenancy Holdings.

MR. WEDGWOOD (Newcastle-under-Lyme): To ask the hon. Member for East Bristol, as representing the Ecclesiastical Commissioners, how many of the tenancy holdings, included in the 250,000 acres owned by the Ecclesiastical Commissioners, exceed 500 acres; how many are between 100 and 500 acres; how many are between fifty and 100 acres; how many are between ten and fifty acres; how many are less than ten acres; and what provision do the Commissioners make for the extension of the system of small holdings.

(*Answered by Mr. Charles Hobhouse.*) The 250,000 acres comprise 2,952 holdings, the number of holdings in each of the suggested classes being as follows:—

Class.	Number of Holdings.
Exceeding 500 acres	76
Exceeding 100 acres and not exceeding 500 acres	654
Exceeding 50 acres and not exceeding 100 acres	272
Exceeding 10 acres and not exceeding 50 acres	783
Exceeding 1 acre and not exceeding 10 acres	1,168
	2,952

These holdings are exclusive of all lettings under one acre (chiefly cottage gardens, about 1,000 in number) and of 1,758 acres let for allotments. The Ecclesiastical Commissioners have not adopted any system for facilitating the further division of holdings, but they put no hindrance in the way of the creation of small holdings where large farms can suitably be divided, and the figures above given show that the proportion of small holdings on the Commissioners' estates is considerable, the number of holdings under fifty acres being 66 per cent. of the whole, and the number of those under 100 being 75 per cent. of the whole. In cases deemed by them suitable the Commissioners facilitate the purchase of their holdings by tenants who desire to aquire the freehold by allowing 85 per cent. of the purchase money to remain upon mortgage repayable by equal half-yearly instalments (including principal and interest) over a period of thirty-five years, the interest being at the rate of £3 10s. per cent. On these terms the instalments amount to £5 per cent. per annum on the unpaid portion of the purchase money. Upwards of 450 sales have been effected upon this system, mainly sales of agricultural holdings.

Petition for holding additional Fairs at Ballina.

MR. FETHERSTONAUGH (Fermanagh, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Urban District Council of Ballina, county Mayo, has presented a petition to His Excellency praying for a patent for holding additional fairs at Ballina; and, if so, when was such petition presented, and has any action been yet taken upon it.

(*Answered by Mr. Bryce.*) The petition referred to was received on 13th September last, and is still under consideration. Questions have arisen as to the power of levying tolls and as to the creation of certain trusts in the proposed new patent.

Ballycastle—Bellmullet Railway.

MR. FETHERSTONAUGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received any influentially signed memorial from the inhabitants of Ballycastle, county Mayo, on the subject of a railway to that town; and, if so, will he give the contents of the memorial his early attention; and has the Irish Government considered the desirability of making the railway to Belmullet by way of Ballycastle?

(*Answered by Mr. Bryce.*) I have received the memorial in question, and will give it due consideration. The question of the various routes for any railway that might be made to Belmullet has been long before the Irish Government.

Investigation of Complaints against Irish National School Teachers.

MR. PATRICK O'BRIEN (Kilkenny): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has any objection to give the name and qualifications of the officer appointed by the National Board of Education, as stated in their Report 1904–6, to examine into cases of complaint against teachers, and, when he thinks desirable, to recommend their dismissal by the Board.

(*Answered by Mr. Bryce.*) The Commissioners of National Education inform me that, on administrative and other grounds, they do not consider it to be desirable to give the name of the officer referred to. They remark, however, that teachers are not dismissed on the recommendation of any particular official. All the circumstances of each case are fully examined by more than one officer before it is submitted to the Board for consideration. No teacher is dismissed without the formal order of the Board after his case has been specially submitted at one of the stated meetings of the Commissioners.

Lord-Lieutenants—Residential Qualifications.

MR. BERTRAM (Hertfordshire, Hitchin): To ask the Secretary of State for War whether his attention has been drawn to the number of deputy-lieutenants for counties who do not reside within the county for which they are appointed; whether he is aware that the provisions of Section 30 (1) of the Militia Act, 1882, as to residence within the county, are binding upon lords-lieutenant in making appointments, and that it is the duty of lords-lieutenant to displace deputy-lieutenants who cease to be qualified by residence; and whether he will call the attention of lords-lieutenant to the matter, with a view to the removal from office of all non-resident deputies.

(*Answered by Mr. Secretary Haldane.*) The Answer to the first part of the Question is in the negative. Residence within the county is a condition precedent to appointment only, and is not a qualification as defined by Section 33 of the Militia Act referred to. Residence outside the county would not affect the position of a deputy-lieutenant provided he retained one or other of the qualifications detailed in Section 33. The Act referred to does not apparently intend the Secretary of State for War to determine questions of qualification. That duty is imposed by the Act upon the lords-lieutenant.

QUESTIONS IN THE HOUSE.

Greenwich Age Pensions.

MR. BRAMSDON (Portsmouth): I beg to ask the Secretary to the Admiralty if he will say how many men are now eligible to become Greenwich Age Pensioners, and how many actually receive these pensions; what is the annual amount set apart from Greenwich Hospital funds for the purpose of paying these age pensions, and how much would be required annually if all eligible men were actually provided for; and will he give similar information with reference to the years 1891 and 1895.

*THE SECRETARY TO THE ADMIRALTY (MR. EDMUND ROBERTSON, Dundee):

	1891.	1895.	1906.
Number of men eligible for Greenwich Hospital age pensions -	10,300	10,250	12,630*
Number in receipt of pension -	7,500	10,000	9,050
Amount set apart from Greenwich Hospital Funds - -	£ 79,800	£ 100,000	£ 100,900

*(Approximate numbers.)

The provision of pensions for all men eligible would involve an expenditure for the present year of £128,000.

H.M.S. "Montagu."

MR. HUNT (Shropshire, Ludlow): I beg to ask the Secretary to the Admiralty whether the sailors who worked very hard in their efforts to save the "Montagu" will be themselves obliged to pay for the new clothes rendered necessary by such extra work.

*MR. EDMUND ROBERTSON: The men will not be put to any extra expense in replacing clothing which may have been rendered unserviceable by the operations.

Destroyers for Germany.

VISCOUNT TURNOUR (Sussex, Horsham): I beg to ask the Secretary to the Admiralty whether the German programme provides for twelve destroyers to be laid down in each succeeding year.

*MR. EDMUND ROBERTSON: The Answer is in the affirmative.

Gun Contracts.

VISCOUNT TURNOUR: I beg to ask the Secretary to the Admiralty on what dates the 12-inch guns of the "Lord Nelson," "Agamemnon," and "Dreadnought," were ordered.

*MR. EDMUND ROBERTSON: It is not considered in the interests of the public service to make any statement with regard to the dates on which war materials are ordered.

Naval Shipbuilding Policy.

VISCOUNT TURNOUR: I beg to ask the Secretary to the Admiralty whether it is the settled policy of the Admiralty in framing their shipbuilding programme to meet only those programmes of Foreign Powers which are actually sanctioned by their respective Parliaments.

MR. EDMUND ROBERTSON: The Answer is in the affirmative, but the Admiralty are also guided by the number of vessels actually laid down and the progress made with their construction.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.): May I ask whether the Government takes into account in considering the programmes of foreign Powers the progress made in vessels before they are laid down? Hon. Members are familiar with the fact that great sums are often spent on a vessel before it is laid down with a view of securing rapid progress.

*MR. EDMUND ROBERTSON: That is not lost sight of.

MR. BELLAIRS (Lynn Regis): Is it not the fact that in another place an assurance was given that the programmes of the French and German navies which were only sanctioned last May were taken into account.

*MR. EDMUND ROBERTSON asked for notice of the Question.

Naval Manœuvres.

SIR HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary to the Admiralty if, bearing in mind that the naval manœuvres of 1906 involved a considerable expenditure of public money, he can put the House into possession of the strategical and tactical lessons they taught as regards the clear food route of Great Britain, and its alleged inviolability in the future from a recurrence of the Foreign invasions from which it has suffered in the past, and which have even been threatened in our own time, when Foreign navies were less powerful than at present.

*Mr. EDMUND ROBERTSON: The Board of Admiralty are of opinion that no statement in regard to the strategical and tactical lessons drawn from the recent manœuvres can be made without detriment to the public interest; but they do not in any way share the apprehensions which the hon. and gallant Member appears to entertain in regard to the danger to our food routes.

Sir HOWARD VINCENT: As large sums of money were spent on these manœuvres, are we to have any information of the result? Over 300 vessels were employed in them.

*Mr. EDMUND ROBERTSON asked for notice of the Question.

Sir HOWARD VINCENT: It is the question on the Paper.

*Mr. EDMUND ROBERTSON: I do not think so.

Viscount TURNOUR: But can the hon. Gentleman give no indication of the effect these manœuvres had upon the opinion of the Admiralty?

*Mr. EDMUND ROBERTSON: I can only repeat the Answer I have already given.

The Disturbance at Portsmouth Barracks.

Mr. SWIFT MACNEILL (Donegal, S.): To ask the Secretary to the Admiralty whether he is aware that during the recent disturbance at the Portsmouth Naval Barracks the senior officer in command ordered some stokers who were implicated in the disturbance, and were required to parade in the gymnasium, to kneel while he addressed them, and that this order was first disregarded, and on being repeated was obeyed with evident reluctance by the men with one exception, the offender being immediately handed over to the naval police; and will he say if a naval officer is invested with authority to order the men under his command to kneel; and, if so, under what circumstances, and under what provisions, if any, of the Naval Regulations; and whether, if the giving of a command of this character be in consonance with the provisions for maintaining discipline in the Navy, steps will be taken for the abolition of the power of naval officers to order their men to kneel, having regard to the fact that delinquents in courts of justice do not kneel.

Mr. EDMUND ROBERTSON: I have nothing to add to my Answer yesterday to the hon. Member for the Kirkcaldy Burghs.†

Mr. SWIFT MACNEILL: The Question was with reference to an incident that occurred a year ago. Will the right hon. Gentleman answer the last part of my Question?

Mr. EDMUND ROBERTSON: That is part of the whole case. No statement in regard to the matter can be made until the Board of Admiralty have completed their consideration of the report of the Court of Inquiry.

Mr. SWIFT MACNEILL: Are orders to kneel allowed to be given in the Navy?

Mr. EDMUND ROBERTSON: I will give full information when I have got and considered the report.

Mr. DALZIEL (Kirkcaldy, Burghs): Does the right hon. Gentleman hold out any hope that the House will have an opportunity of considering the report, and when will he make a statement?

Mr. EDMUND ROBERTSON: Probably to-morrow.

Preston Barracks.

Viscount TURNOUR: I beg to ask the Secretary of State for War whether, as it is proposed to do away with a cavalry station in Scotland, he will consider the advisability of again stationing a cavalry regiment at Preston Barracks, Brighton.

The SECRETARY of STATE for WAR (Mr. Haldane, Haddington): These barracks are not large enough to accommodate a complete cavalry regiment. They are capable of holding a Brigade of Royal Field Artillery and for this purpose they are being retained.

---

† See (4) *Debates*, clxiv., 1032.

Viscount TURNOUR: I hope the right hon. Gentleman, in spite of the fatigues of last night's prolonged sitting, will to-night give me a personal interview so that I may show him reasons for reconsidering his decision.

Maltese Garrison.

Mr. BELLAIRS: I beg to ask the Secretary of State for War what was the total number of troops of all descriptions at Malta on 31st March, 1906; and what was the number ten years before.

Mr. HALDANE: The numbers were as follows:—On 31st March, 1896, 9,539; on March 31st, 1906, 8,476.

Woolwich Arsenal.

Mr. CHIOZZA MONEY (Paddington, N.): I beg to ask the Secretary of State for War whether, in view of the magnitude of the national undertaking at Woolwich with its site stretching two miles on the Thames, and of the fictitious prosperity and deep distress which are alternately created by the Imperial authorities in Woolwich and neighbourhood, he will give consideration to the advisability of making arrangements with other Departments of State to use the fine engineering plant regularly for other work, such as the construction of locomotives, wagons and bridges for the State railways in India and the Crown Colonies, work which could be temporarily suspended in time of war.

Mr. HALDANE: No, sir, I do not consider it desirable that the ordnance factories should undertake such work. Railway locomotive building could not be done with the present plant and staff in the ordnance factories. It is very different from any work now done there. Bridge building requires machinery for preparing steel plates not at present existing in these factories, the only similar work done being boiler repairs, and the men employed on these repairs are few.

Mr. CHIOZZA MONEY: Will the right hon. Gentleman consider the desirability of making the very small investment required to instal the necessary plant?

Mr. Haldane's reply was inaudible.

Mr. CROOKS (Woolwich): Has the staff now reached its minimum strength?

Mr. HALDANE: I must ask for notice of that Question.

St. Helena.

Mr. HICKS BEACH (Gloucestershire, Tewkesbury): I beg to ask the Secretary of State for War whether, in view of the fact that a sum of approximately £35,000 will be saved on Army Votes in consequence of the withdrawal of the garrison from St. Helena, he will ask leave of the House to devote a portion of that sum to the relief of the inhabitants of the island.

Mr. HALDANE: This is not a matter for my Department, but I may refer the hon. Member to the reply made to him on this subject by my hon. friend the Under-Secretary of State for the Colonies on Wednesday last as regards the views of the Government on the economic situation created by the withdrawal of the garrison.†

Lord BALCARRES (Lancashire, Chorley): Cannot the right hon. Gentleman give some indication of how this money will be used?

Mr. HALDANE: It will appear when the Estimates are framed.

Lord BALCARRES: Will not some of the money be released in the current year and not appear in next year's Estimates?

Mr. HALDANE: A very small part only.

Madura District People's Association Petition.

Dr. RUTHERFORD (Middlesex, Brentford): I beg to ask the Secretary of State for India whether his attention has been called to the refusal of the Government of Madras to grant the request of the Madura District People's Association for information regarding the proposed division of their district; and whether, in view of the fact that the people have no voice in the government of their own country, he will ask the Madras Government to consider favourably in future representations of this nature.

---

† See (4) *Debates*, clxiv., 535, 536.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. JOHN ELLIS, Nottinghamshire, Rushcliffe): I have no information as to the particular case mentioned; but I will communicate with the Government of Madras on the subject.

Repatriation of Chinese Coolies from South Africa.

MR. DUNCAN SCHWANN (Cheshire, Hyde): I beg to ask the Under-Secretary of State for the Colonies what number of Chinese coolies were repatriated at the expense of the Home Goverment during September and October of this year.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): Two hundred and sixty-seven Chinese coolies were repatriated at the expense of His Majesty's Government by the "Indravelli" which sailed at the end of August or beginning of September, and about 300 by the "Cranley" which sailed about the middle of September. There has been no opportunity of effecting further repatriation up to the present since the sailing of the "Cranley," but the necessary arrangements will be made in due course.

The New Hebrides Convention.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Secretary of State for Foreign Affairs why representatives of Australia and New Zealand were not invited to take part in the conference regarding the position of the New Hebrides; and whether he can state that in any future conferences dealing with matters vitally affecting Australia and New Zealand the representatives of those countries will be called into consultation.

MR. CHURCHILL: We have sent a reasoned despatch of considerable length to the Government of Australia dealing with the whole course of these negotiations and dealing with the Convention on its merits. That despatch will take some time to reach Australia, and it would not be considered proper for us to make it public in England until we have a communication from them that they have received it. As soon as we know they have received the despatch we shall lay Papers on the Table dealing with the whole of the negotiations connected with the New Hebrides Convention, which will give a full explanation of the position taken up by the Government and their justification for it. With regard to the second part of the Question, so far as the future is concerned we shall always desire to consult with the Colonies in the fullest manner on any subject which affects their interests, both before and during the negotiations. In the coming Colonial Conference further opportunity will arise for considering the machinery to be employed.

MR. R. DUNCAN (Lanarkshire, Govan): Will the question of the coaling stations on the Pacific be considered at the same time?

MR. CHURCHILL: I must ask for notice of that.

SIR GILBERT PARKER (Gravesend): When the Papers are laid will they include the original agreement made in 1887?

MR. CHURCHILL: I should like notice of that also.

Conviction of Chinese Coolies.

MR. DUNCAN SCHWANN: I beg to ask the Under-Secretary of State for the Colonies what was the number of desertions of Chinese coolies for the months of August, September, and October of this year.

MR. CHURCHILL: In August the number of convictions of Chinese coolies for desertion was thirty-four, and, in addition, sixty were convicted for refusal to work, and 682 for unlawful absence from work. The Returns for September and October have not been received.

The Congo.

MR. HIGHAM (Yorkshire, W.R., Sowerby): I beg to ask the Secretary of State for Foreign Affairs if His Majesty's Government can state whether the territory of the Lopori-Marringa in the Upper Congo is still subject to the *régime militaire spécial*; and if His Majesty's Government are satisfied that the persons and property of British subjects residing therein are safe from molestation.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD GREY, Northumberland, Berwick): I have received no definite information as to whether the *régime militaire* is still in force but M. de Cuvelier informed His Majesty's Minister at Brussels last month that the three months mentioned in the decree of 24th July establishing that *régime* had almost expired, and that he had no reason to suppose that this term would be extended. The Congo Government have informed His Majesty's Government that the only effect of the *régime militaire* is to extend the competence of the courts-martial, but that these courts can only apply to civilians the ordinary penal laws, and that non-native civilians (the expression including coloured British subjects) can appeal to Boma. I have not heard of any molestation of British subjects during the period named.

MR. HIGHAM: I beg to ask the Secretary of State for Foreign Affairs if His Majesty's Government can now publish Consul Mackie's Report on the sittings of the Commission of Inquiry which he attended, and also the Reports furnished to Consuls Mackie and Nightingale by British subjects who were called as witnesses before the Commission at sittings where no British Consular representative was present.

SIR EDWARD GREY: I have nothing to add to the replies on this subject given on April 3rd and May 24th. Mr. Mackie's comments on the evidence which he forwarded did not differ materially from those of the Commission of Inquiry, and he was only able to attend three sittings of the Commission. His Majesty's Government cannot publish information respecting the evidence which has reached them from unofficial sources.

The Rev. Edgar Stannard's Case.

MR. ALDEN (Middlesex, Tottenham): I beg to ask the Secretary of State for Foreign Affairs if the attention of His Majesty's Government has been drawn to the statements made by the Rev. Edgar Stannard that certain evidence given before the Congo Commission of Inquiry by native witnesses and vitally affecting Mr. Stannard's defence was not accessible in the course of his recent trial at Coquilhatville, in the Congo State; if the attention of His Majesty's Government has been drawn to the sworn statements of the Rev. J. H. Harris and his wife, witnesses before the Congo Commission of Inquiry at Baringa, in the Congo State; that the gravest charges were preferred at the sittings of the Commission in regard to the proceedings of Commandant Hagstrom, who recently obtained damages against the Rev. Edgar Stannard for alleged libel before the Coquilhatville Court; and if the attention of His Majesty's Government has been drawn to the detailed notes, published by the Congo Reform Association, made by Mr. and Mrs. Harris, of the testimony of the Chief Lontulu, of Bolima, at the Commission's sittings affecting that Congo Government official; and, if so, what action he proposes to take.

SIR EDWARD GREY: The attention of His Majesty's Government has been drawn to all the matters referred to. I stated yesterday that His Majesty's Government had again pressed the Congo Government to publish the evidence taken by the Commission of Inquiry, and I have now heard that the Government adhere to their refusal to do so, on the recommendation of the Commission itself. But I have also received the assurance that the entire records of the proceedings of the Commission in so far as they bore on the prosecution of Mr. Stannard, were placed before the Court in the fullest detail, and without the omission of a single item. It is open to Mr. Stannard to insist upon the examination of this evidence at the trial.

SIR GILBERT PARKER: Will it be open to him to insist on the examination of the Papers at the appeal. I do not suppose it will be in his power to make public the proceedings.

Dear Money.

MR. STRAUS (Tower Hamlets, Mile End); I beg to ask Mr. Chancellor of the Exchequer whether, owing to the dearness of money which is hampering trade, he can see his way to bring in a short Bill compelling every bank to publish a balance sheet every month, showing weekly average gold reserves, with a view to increasing the gold reserves and cheapening money.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fife, E.): I am not prepared to pledge myself to legislation on this subject, but in the consideration which I am giving to it my hon. friend may be assured that I shall not leave out of sight the important aspect to which his Question refers.

Case of Max Nettlau.

MR. KEIR HARDIE (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department whether it has been reported to him that M. Max Nettlau was refused permission to land in this country because he refused to undergo a medical examination under the terms of the Aliens Act; whether he is aware that Dr. Nettlau is a doctor of philosophy who for twenty years past has paid an annual visit to this country for the purpose of studying at the British Museum; and whether he will give instructions to prevent a recurrence of such an incident.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): I have made full inquiry into the circumstances of this case, and I have satisfied myself that the medical inspector in no way exceeded the duty imposed on him by the Act, and showed all possible consideration for Dr. Nettlau's feelings.

Prosecutions for Vivisection.

SIR G. KEKEWICH (Exeter): I beg to ask the Secretary of State for the Home Department why the Annual Report of the Inspector, under the Cruelty to Animals Act, is issued each year at so late a date that prosecutions for illegal experiments described in his Report are rendered impossible by the operation of Section 1 of The Public Authorities Protection Act, 1893; and whether he will during the continuance of the existing law direct that the Report shall be issued quarterly and promptly instead of, as at at present, once a year, and long after the experiments have taken place.

MR. GLADSTONE: There has been no avoidable delay in issuing this Report. An immense mass of documents has to be received and examined before the Report can be prepared, and to issue it quarterly would very greatly increase the labour involved with little or no advantage. Contraventions of the Act are reported to the Secretary of State as soon as they are discovered, so that the institution of proceedings for performance of illegal experiments is not dependent on the date of the Report.

In reply to a further Question, Mr. GLADSTONE promised to see if the publication of the Report could be hastened.

MR. SWIFT MACNEILL: Is it not the case that under this Act no prosecutions have ever been successfully instituted?

*MR. SPEAKER: That does not arise out of the right hon. Gentleman's Answer.

Enfield Betting Convictions.

VISCOUNT TURNOUR: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Alfred Ball, who was convicted at Enfield Quarter Sessions for betting in a public-house, and sentenced to six months hard labour without the option of a fine; and whether, in view of the fact that it was stated by one of the police witnesses that Ball's personal character was satisfactory, he will consider the advisability of reducing his sentence.

MR. GLADSTONE: I have carefully considered all the circumstances of this case, but I regret that I am unable to advise any reduction of the sentence.

Railway Carriages—Third Class Sleepers.

MR. MORTON (Sutherland): I beg to ask the President of the Board of Trade whether he will represent to the railway companies which provide first-class sleeping carriages the necessity of reconsidering the question of providing third-class sleeping carriages before they come to Parliament to ask for further concessions.

THE SECRETARY TO THE BOARD OF TRADE (Mr. KEARLEY, Devonport): The railway companies are no doubt fully alive to the situation, and no action on the part of the Board of Trade seems necessary at the present moment.

MR. KEIR HARDIE: Is the hon. Gentleman aware that the Committee of Managers of Railway Companies recently decided not to introduce third-class sleepers?

MR. KEARLEY: Yes, Sir, and I communicated that information to the House myself.

MR. MORTON: Will the Board of Trade support the movement to secure third-class as well as first-class sleepers?

MR. KEARLEY: I cannot pledge the Board of Trade so far in advance.

Crown Land Tenants.

MR. HARMOOD-BANNER (Liverpool, Everton): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what compensation will be paid to the tenants of Crown agricultural Lands, especially the widows, on whom notice to quit has been served upon the termination of their tenancy; and whether compensation will be assessed on the basis of the Land Tenure Bill.

SIR EDWARD STRACHEY (Somersetshire, S.): The compensation payable to any outgoing tenants on the Crown Lands will be the amount to which they are entitled by the law which is in force at the time of quitting their holdings. The Answer to the latter part of the Question depends on whether the Land Tenure Bill has or has not become law at that time.

New Local Government Board Offices.

MR. T. L. CORBETT (Down, N.): On behalf of the hon. Member for Hammersmith, I beg to ask the First Commissioner of Works if a Supplementary Estimate will be required to meet the cost of structural or other work connected with the new Local Government Board offices in Whitehall.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. RUNCIMAN, Dewsbury, for Mr. Harcourt): The cost of this building is provided for by the Public Building Expenses Acts of 1898 and 1903, and no further grant will be required except for furniture and office fittings, for which no provision has been made. Amounts for these services will be taken in the ordinary annual Estimates.

Lighting of Parliament Buildings.

SIR HOWARD VINCENT: I beg to ask the First Commissioner of Works if he can do anything to improve the defective lighting in the Central Hall and Conference Room.

MR. RUNCIMAN: The First Commissioner will give directions for the improvement of the lighting of the Conference Room. But he is disposed to think that the Central Hall is not inadequately lighted at present, having regard to its purpose.

SIR HOWARD VINCENT: Will the hon. Gentleman kindly call the attention of the First Commissioner to the fact that the light is so bad in the Central Hall that it is almost impossible to recognise one's constituents.

MR. RUNCIMAN: Certainly.

National Gallery—Private Traders.

MR. CHIOZZA MONEY: I beg to ask the Secretary to the Treasury whether he has now communicated with the trustees of the National Gallery with reference to their action in allowing private firms to trade rent free within the precincts of the gallery; and if so, with what result; and whether consideration will be given to the fact that, if an official department were opened at the gallery for the sale of reproductions of national pictures, a considerable contribution might be secured towards the maintenance of the building.

MR. RUNCIMAN (for Mr. MCKENNA): My hon. friend has been assured that this matter will be laid before the National Gallery Board at their next meeting, which will be held very shortly.

The Hollesley Bay Voters.

MR. BRIDGEMAN (Shropshire, Oswestry): I beg to ask Mr. Attorney-General if he will ascertain who was responsible for the payment out of voluntary contributions of the travelling expenses of the fifty-two unemployed who were given special leave, in anticipation of their usual holiday, to go to London for the purposes of voting in the municipal elections; and if it is his intention to prosecute such person or persons under Section 7 (1) (a) of the Corrupt Practices Act of 1883.

*THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.): The information necessary for answering the earlier portion of the Question was given yesterday by the President of the Local Government Board.† Assuming these facts, there is not, in my opinion, any infringement of the section.

Mr. T. L. CORBETT: Were the subscribers consulted before the sums collected from them were devoted to a purely Party purpose?

*Sir JOHN WALTON: The hon. Member must ask the President of the Local Government Board. The facts are not within my knowledge.

Mr. BRIDGEMAN: Is it not a fact that some of the members of the Committee who authorised this expenditure were themselves candidates for the election to which the unemployed travelled to vote, and, if that is the case, does it not constitute an infringement of the section?

Mr. J. WARD (Stoke-on-Trent): Are not the majority of the Committee Moderates?

*Sir JOHN WALTON: I can only deal with the question of law on the facts before me, and on the facts I am clear that there is no infringement.

Mr. WALTER LONG (Dublin, S.): Would the President of the Local Government Board be able to give information with regard to the facts?

The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. John Burns, Battersea): If the right hon. Gentleman will put down a Question I shall be pleased to give him all the available information. I may tell him, however, that, in answer to a Question yesterday, I did, at considerable length, place all the available information at the disposal of the House.†

Viscount TURNOUR: Do I understand the Attorney-General to say that it is not illegal to pay the expenses of persons going to vote in municipal elections?

*Sir JOHN WALTON: It is illegal to pay the expenses of persons going to vote provided that the payment is made with the view of procuring the election of a particular candidate. In this particular case I understand that a sum of money was provided to enable these men to go to London on their furlough, and not to procure the election of any candidate. The mere fact that money is provided to enable men to exercise the franchise, unless it is given by or in the interest of one of the candidates, is not an offence.

Mr. AUSTEN CHAMBERLAIN: Is it not the case that the furlough coincided with the date of the election, and that the people who authorised the payment happened to be candidates? If that be the fact, and if that be not an offence under the law, will the Government make it an offence, as it obviously ought to be?

An HON. MEMBER: He cannot answer conundrums!

Mr. JOHN BURNS: That Question cannot be answered until I supply the information promised.

Mr. SWIFT MACNEILL: It's a Chinese puzzle!

Mr. MYER (Lambeth, N.): Is any Member of the Government obliged to answer hypotheses?

Secondary School Grants.

Sir G. KEKEWICH: I beg to ask the President of the Board of Education whether any secondary schools containing infant or junior departments receive grants from the Board of Education; whether such grants are applied wholly or in part to payment of the cost of those departments; and whether those departments are maintained with a view to class distinctions.

The PARLIAMENTARY SECRETARY to the BOARD of EDUCATION (Mr. Lough, Islington, W.): I believe that in certain secondary schools, especially those provided and maintained by local authorities which were formerly known as higher grade schools, there are preparatory departments for boys and girls under twelve years of age. All grants paid in respect of secondary schools go into the school fund of such schools, and are not, as indeed they could not be, earmarked to be spent solely on any one particular portion of the school expenses. The Answer to the third paragraph is in the negative. The purpose of these preparatory departments is to enable children coming from a public elementary school to profit more fully by the secondary school course than they could otherwise do, in fact, to compensate them for the better preparatory education which other children attending the secondary school may have received owing to the greater private means of their parents.

---

† See (4) *Debates*, clxiv, 1001.

Watford Grammar School.

SIR G. KEKEWICH: I beg to ask the President of the Board of Education whether, at an inquiry held by an inspector of the Board of Education with regard to a scheme for Watford Grammar School submitted to the Board of Education by the County Council for Herts, the inspector refused to inquire into the financial proposals of the county council under the scheme; and whether the course taken by the inspector was in accordance with the instructions of the Board of Education.

MR. LOUGH: The inquiry referred to was an inquiry relating to the draft of an amending scheme for the Watford endowed schools. The Hertfordshire County Council had made proposals for aiding the foundation out of the rates under Section 18 (1) and Section 18 (1) (*a*) of the Education Act, 1902, and the inspector, in accordance with the instructions of the Board, refused to inquire into the objections to these rating proposals on the ground that the questions which they raised were outside the jurisdiction of the Board.

SIR G. KEKEWICH: I beg to ask the President of the Board of Education whether the Watford Grammar School is held under denominational trusts; whether, under a scheme submitted to the Board of Education by the Herts County Council, it is proposed to endow that school with a considerable capital sum raised by loan on the security of the rates, and with an annual subsidy of public money; and whether the Board of Education have sanctioned, or intend to sanction, the scheme.

MR. LOUGH: The Answer to the first paragraph is in the affirmative. But the county council's financial proposals, which are in substance as defined by the hon. Member, are not, as the Question seems to imply, embodied in the scheme recently made under the Charitable Trusts Acts by the Board of Education. The county subsidy is given outside that scheme at the discretion of the local education authority with which the Board of Education saw no reason to interfere.

Company Schools.

SIR G. KEKEWICH: I beg to ask the President of the Board of Education whether secondary schools carried on by public companies receive grants from the Board of Education; and, if so, whether such grants directly or indirectly contribute towards the payment of a dividend to the shareholders.

MR. LOUGH: No grants are now paid in respect of secondary schools carried on by public companies unless they are under a strict trust, under the Charitable Trusts Acts, by which any profits in respect of the working of the schools, or any assets in the event of the discontinuance of the schools, are absolutely secured for the benefit of the school or for other educational trust purposes, thus precluding any payment of dividend directly or indirectly to any shareholder.

Unemployed Workmen's Act in Scotland.

MR. WEIR (Ross and Cromarty): I beg to ask the Secretary for Scotland if he will state how many county councils in Scotland have now taken action under the Unemployed Workmen's Act.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): I have nothing to add to the reply given to the hon. Member on 24th July.†

School Water Supplies in the Island of Lewis.

MR. WEIR: I beg to ask the Secretary for Scotland, having regard to the fact that there are eighteen schools in the Island of Lewis, the water supply for which is reported to be defective, will he ascertain in how many cases action is being taken with a view to securing a suitable supply.

---

† See (4) *Debates*, clxi., 1046.

MR. SINCLAIR: At Bragar and Valtos improvements have been carried out, and at Crowlista and Leumarava improvements will be carried out. The word "defective" is a general term, and my hon. friend's interpretation of it is properly, I think, under the circumstances, not that of the medical authorities concerned.

MR. MORTON: Will these people be given a proper water supply?

MR. SINCLAIR: In the opinion of the medical authorities there is a suitable supply in all places, except those to which the Answer refers and for them a supply is being provided.

Medical Relief at Uig.

MR. WEIR: I beg to ask the Secretary for Scotland whether he is aware that, owing to the recent absence of the medical officer for the parish of Uig, island of Lewis, one of the occupants of thirteen Tolstachulish in that parish was compelled to send to Stornoway, about twenty miles, for medical attendance on a widow who was found to be suffering from fever; and, seeing that this cost the poor family about £2, will arrangements be made for the presence of a substitute when the resident medical officer finds it necessary to absent himself from the district.

MR. SINCLAIR: The woman in question was not a pauper; she was, therefore, not under the jurisdiction of the parish council who have no duty to provide medical attendance for others than paupers. The absence of the parochial medical officer was caused by the serious illness of a relative. He left a substitute in charge whose residence was nearer to Tolstachulish than the residence of the medical officer himself.

Illegal Trawling off the Island of Lewis.

MR. WEIR: I beg to ask the Secretary for Scotland if he will state how many cases of ilegal trawling in Broad Bay, Island of Lewis, have been reported by the lightkeepers at Tiumpan Head, and how many prosecutions have been instituted as the result of the reports.

MR. SINCLAIR: Two cases have been reported by the lightkeepers at Tiumpian Head during the current year. One case was prosecuted and in the other case the trawler was not identified.

Dr. Dittmar's Report.

MR. WEIR: I beg to ask the Secretary for Scotland, in view of the fact that the Secretary for Scotland does not feel justified in authorising the expenditure which would be incurred in printing the memorandum by Dr. Dittmar, the Local Government Board's Medical Inspector, entitled Statistical Data presented by the Lews for ten years to 1904, will he arrange to have it printed if the Parliamentary representative for the county undertakes to pay the cost of printing, especially having regard to its importance in connection with the Report on Physical Deterioration and the increase of phthisis in the island of Lewis.

MR. SINCLAIR: I should have already laid this Report, had I thought it required. My Answer, therefore, to my hon. friend must be in the negative.

Illegal Trawling in Durness Bay.

MR. MORTON: I beg to ask the Secretary for Scotland whether he will state to the House where the fishery cruiser, which should have been off the coast of Durness, on Sunday, the 9th of September, was; and whether fishery cruisers are not on duty on Sundays; and, if so, what steps, with a view to prevent illegal trawling, does he propose to take to prevent its being known that the cruisers are not on duty on certain days in the week.

MR. SINCLAIR: It was not the special duty of any fishery cruiser to be off Durness on Sunday, the 9th of September. Fishery cruisers are frequently engaged in patrolling on Sundays, and there are no days in the week on which they are not on duty subject to the necessities of refitting.

MR. MORTON: How is it the fishery cruisers never discover these trawlers in Durness Bay? I have seen them several times.

MR. SINCLAIR: I imagine the trawlers take very good care not to meet the cruisers.

MR. MORTON: Will the right hon. Gentleman put some faster cruisers on this station?

MR. HUNT (Shropshire, Ludlow): What is the use of these cruisers if they cannot catch the trawlers? Is it not a perfectly useless expense to keep them there?

MR. SINCLAIR: It is far from being the case that these cruisers are not successful in their work.

Crown Prosecutions in Ireland—Right of Reply.

MR. SWIFT MACNEILL: I beg to ask Mr. Attorney-General for Ireland whether the attention of the Irish justiciary has been directed to the exercise in Ireland by all counsel representing the Attorney-General in criminal cases of a general right of reply, even in cases where no evidence on behalf of the accused has been produced, whereas in England, by a resolution of the English justiciary in December, 1884, in criminal cases in which the prosecution is conducted on behalf of the Crown, where no evidence is offered for the accused, the right of reply is restricted to the Attorney-General and the Solicitor-General alone when prosecuting on behalf of the Crown in person; and will he state the reason for this dissimilarity between the practice in criminal prosecutions in England and Ireland.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange): The difference in the practice of the Criminal Courts in England and Ireland referred to by the hon. Member has not, so far as I am aware, recently engaged the attention of the Irish Judiciary as a body, though all the Judges are of course aware of it. I shall be glad, if the hon. Member desires it, to bring the matter under the notice of the Judges of the King's Bench Division with a view to ascertaining whether they would consider it wise, in the interests of justice, to adopt the resolution passed by the English Judiciary in 1884, and so assimilate the practice in the two countries.

Magistrates' Fees in Ireland.

MR. O'DOWD (Sligo, S.): I beg to ask Mr. Attorney-General for Ireland whether he is aware that a magistrate, on his appointment to His Majesty's Commission of the Peace in Ireland, has, at present, to pay in stamp duty and other charges a sum amounting to £6; and whether, seeing that in England, Scotland, and Wales the total amount payable by a magistrate on his appointment in no case exceeds £2, steps will be taken by the Government to assimilate the law as it applies to Ireland in this regard with the other portions of the United Kingdom.

MR. CHERRY: I am in communication with the Treasury on this subject.

Colonel Malone's Westmeath Estate.

MR. GINNELL (Westmeath, N.): I beg to ask Mr. Attorney-General for Ireland if his attention has been called to the fact that the Estates Commissioners ignore the existence of congestion on and around Colonel Malone's estate in Westmeath, and propose to advance £3,000 to enable one tenant, not within the Land Law Acts, to purchase an undivided grass tract; and, if there is no legal reason why the Commissioners should not exercise in this case their discretion judicially established in the Blake-Foster case, will the Government advise them to do this in order to make the grass land available for the people in need of it.

MR. CHERRY: I beg to refer the hon. Member to the reply which my right hon. friend the Chief Secretary gave to his Question on this subject on Wednesday last.† The matter in question is one for the discretion of the Estates Commissioners, and it is not within my province to intervene in the manner suggested.

MR. GINNELL: Has any Court decided that the discretion cannot be exercised in such a case as that stated in the Question?

MR. CHERRY: I do not know that any Court has, and it is not for me to advise any Court how to exercise its discretion.

Aroddy Evicted Tenant.

MR. THOMAS F. SMYTH (Leitrim, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if the Estates Commissioners have received an application for reinstatement from an evicted tenant named McGarty, in the townland of Aroddy, on the Lawder estate, in the county Leitrim; and if any action will be taken in the matter.

---

† See (4) *Debates*, clxiv., 560, 561.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.): The Estates Commissioners inform me that they have recently received from Thomas McGarty an application for reinstatement as an evicted tenant, and that they will have the case investigated in due course.

Cooscroun Landing Stage.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Congested Districts Board is now in a position to undertake the work of improving the landing facilities at Cooscroun, county Kerry.

MR. BRYCE: The Congested Districts Board are at present considering the question of providing landing accommodation at Cooscroun, as well as other works in County Kerry. The matter will have the Board's further attention at their next meeting.

Skeagh Estate, County Cavan.

MR. SAMUEL YOUNG (Cavan, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have purchased the Skeagh estate, county Cavan, of Sir Robert Hodson; and, if so, were the tenants' claims for turbary conceded by the landlord in his negotiations with the Commissioners.

MR. BRYCE: The Estates Commissioners inform me that they have not purchased the estate in question, but agreements for direct purchase by the tenants have been lodged with them. The purchase agreements provide that the turbary is to be vested in the landlord, but the Commissioners are not prepared to sanction such a provision, and have informed the vendor that satisfactory arrangements must be made before the sale will be sanctioned.

Value of Irish Agricultural Products.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he has noticed that, according to the latest official statistics of Irish Departments, since 1902, the most important agricultural products have decreased in market value, the cost of labour has increased owing to the continued emigration of rural labourers, the cost of maintaining the poor and pauper lunatics has increased, and yet the reductions of rent given by the Irish Land Commission, instead of increasing with those burdens, are 5 per cent. less than the scale of previous years; and if, in order to remove the impression that this is part of a policy of forcing tenants to purchase at exorbitant prices, he will direct the attention of the Land Commission to the discrepancy between statistics and rent-fixing.

MR. BRYCE: I have communicated this argumentative Question to the Land Commissioners, but have not yet received their observations upon it. I think, however, that the hon. Member may rest assured that the question of all the causes which affect the value of land will be kept present to the minds of the Land Commissioners.

Colonel Malone's Baronstown Estate.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, Colonel Malone's Baronstown estate having been inspected prior to the instructions under which inspectors now act, and in consequence no attempt having been made to ascertain or report upon the existence of congestion on and around that estate, and no subsequent investigation having been made on the ground notwithstanding complaints, will the proposed sale be stayed pending a further inspection under the instructions now in force, with a view to having the grass farms included for distribution.

MR. BRYCE: I beg to refer to my reply to the hon. member's Question on this subject on Wednesday last.† The Estates Commissioners inform me that they do not consider any further inspection to be necessary.

---

† See (4) *Debates*, clxiv., 561.

MR. GINNELL: If I send the right hon. Gentleman a list of tenants of uneconomic holdings on this estate will he reconsider the matter?

MR. BRYCE: The matter is fully before the Estates Commissioners, and I have no doubt they will deal with them as far as they can.

Uneconomic Holdings in Leinster.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will explain why the Estates Commissioners, according to their Returns of Advances, are allowing the Act of 1903 to be used to perpetuate large grass tracts and uneconomic holdings side by side, and thus promoting the further emigration of working people from the depleted counties of Leinster; why do they not exercise in all such cases their discretion judicially recognised in the Blake-Foster case; and, if the Government disapprove of forcing young people to emigrate, will action be taken under Section 23, sub-section (8), to stop the present abuse of the law.

MR. BRYCE: I have referred this Question to the Estates Commissioners, who inform me that they cannot, in reply to a Parliamentary Question, deal with a general statement as to the conclusions to be drawn from their returns, and as to the effect of their administration of the Act. The Commissioners add, however, that it is their policy to improve the poorer holdings where practicable, and that in their administration they pay due regard to the principles laid down in the Blake-Foster case, as they do to judicial decisions upon the Acts in all matters.

Mr. Paget's Hilltown Estate.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that negotiations for sale and purchase have been in progress for two years on Mr. Fitzclarence Paget's estate at Hilltown, Castlepollard; and whether, in view of the evictions that have been carried out, and of the fact that the tenants are willing to buy at prices to be fixed by the Estates Commissioners, he will ask the Commissioners to intervene.

MR BRYCE: The Estates Commissioners inform me that proceedings for the sale of one holding on the estate in question were instituted before them on the 10th July last. The Commissioners have no knowledge of the negotiations with other tenants or of evictions which may have taken place on the property; but it is stated in the originating application that the vendor proposes to restore an evicted tenant named McDavitt to his former holding, now in the occupation of the owner. The Commissioners have no information which would lead them to consider the case of this estate as one suitable for their intervention.

Sales of Estates in October.

*MR. VINCENT KENNEDY (Cavan, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state how many estates were before the Estates Commissioners for sale on the 31st October last; how many of these were direct sales; and how many were in respect of sales under Sections 4, 6, and 7.

MR. BRYCE: The Estates Commissioners inform me that on 31st October proceedings for sale were pending before them as follows:—Direct sales by landlords to tenants, 2,906 estates; sales under Sections 4, 6, and 7, 203 estates. These figures are exclusive of 100 estates in regard to which proceedings for sale to the Congested Districts Board are pending.

*MR. VINCENT KENNEDY: Can the right hon. Gentleman say approximately when agreements for sale which are filed now will be mature for vesting the holdings in the tenants?

MR. BRYCE: I cannot answer this Question from the information at present at my disposal.

County Fermanagh Revision.

MR. VINCENT KENNEDY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the complaints made by Nationalist electors in county Fermanagh with regard to the manner in which the recent revision sessions were conducted; and whether these complaints will be considered at the next appointment of revising barristers.

MR. BRYCE: No complaint in regard to the recent revision of voters in Fermanagh has come to my knowledge, and the Lord Chancellor informs me that none has reached him. The list of voters for county Fermanagh was revised by the County Court Judge with the aid of an Assistant Revising Barrister. The Gentleman appointed as Assistant Revising Barrister in Fermanagh was one in whose efficiency and impartiality the Lord Chancellor has every confidence.

Limerick Fishery Conservators.

MR. JOYCE (Limerick): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware of the fact that the Limerick Board of Fishery Conservators is entirely composed of fishery owners and their nominees; that some of them do not fish either for profit or sport; that they are elected by proxy votes, to the exclusion of fishermen representatives, not one of whom has a seat on the board for the entire district; is he also aware that miles of the River Shannon claimed and reserved by private individuals, to the exclusion of the public, are not rated under the Poor Law Valuation Acts and do not contribute anything for the conservancy of the river; and whether the Government contemplate doing anything to remedy this state of things

MR. BRYCE: I am informed that the Limerick Board of Conservators is partly elected and partly *ex-officio*. The elected members, numbering twenty-four, are elected by those persons, both fishermen and proprietors of fisheries, who take out licenses for salmon fishing in the district. The *ex-officio* members, the number of which is variable, are either owners of several fisheries exceeding £100 valuation, or magistrates who take out licenses and are riparian owners. The number of such *ex-officio* members who attend meetings of this Board does not exceed ten. The fishermen who are qualified to vote are in no way restricted in their choice of a candidate, but may vote for whom they please. The Department of Agriculture have no information as to the particular class of licensees by which the elected members of the present Limerick Board have been chosen. It is a fact that miles of the River Shannon owned by riparian proprietors are not rated, but the Department understand that all private fisheries which are a source of profit to their proprietors are rated. Should any such fishery be insufficiently rated or not rated at all, it is open to the rating authorities or the Board of Conservators to move in the matter. It is to the interest of the Conservators that private fisheries should be adequately rated, because the Conservators are entitled to receive for the purposes of their district a rate of 10 per cent. on the value of the fisheries. I do not feel at this moment to be in a position to make a statement as to possible legislation on the subject of salmon fisheries and Boards of Conservators.

Ardagh Estate, County Mayo.

MR. O'DOWD (Sligo, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state the result of the negotiations between the Estates Commissioners and Mrs. Perry-Knox-Gore for the purchase of the latter's property at Ardagh, Ballina, county Mayo.

MR. BRYCE: The Estates Commissioners inform me that in July last they approached Mrs. Perry Knox-Gore with a view to the purchase of her untenanted land in county Mayo. Mrs. Knox-Gore has intimated her willingness to sell to the Commissioners, and the matter is new under their consideration.

Investments with the Public Trustee.

MR. O'DOWD: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state what proportion of the £15,000,000 paid for Irish land since the Act of 1903 was passed has been entrusted to the Public Trustee in Ireland for investment, and the dividends paid by that official on the sums invested by him for each year since the passing of the Land Act of 1903; and if he will also state what is the salary of the Public Trustee?

MR. BRYCE: I am informed by the Public Trustee that the amount which has been placed in his hands for investment by orders of the Court since the passing of the Act of 1903, is £80,842, viz., £29,142 in 1905, and £51,700 during the present year. In addition, the sum of £20,000 has been dealt with under Section 39 of the Act. In 1905, the amount of dividends paid was £303 7s. 5d., and in

1906 to date, £2,030 12s. 1d. The salary of the Public Trustee is £1,200 per annum.

Kerry Potato Crop.

MR. BOLAND: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a memorial from the inhabitants of Glencar, county Kerry, with reference to the failure of the potato crop in that district and other matters; and whether he will have special inquiry made into the conditions of the whole parish of Glenbeigh and Glencar, and will consider the advisability of sanctioning a grant of seed potatoes, and of urging the Congested Districts Board to undertake the making of a road on the western side of Caragh Lake.

MR. BRYCE: I have received the memorial referred to. The Local Government Board have directed their inspector to make special inquiry into the alleged failure of the potato crop and the circumstances of the people in the district mentioned. The Congested Districts Board do not consider it desirable to undertake the construction of a road along the western shore of Caragh Lake, which it is estimated would cost £2,000. It is not within the province of the Congested Districts Board to undertake works for the relief of temporary or exceptional distress.

Valentia Island Evicted Tenant.

MR. BOLAND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a claim for reinstatement has been made by Michael Shanahan, of Farranreigh, Valentia Island, county Kerry, from which his father, Maurice Shanahan, was evicted in 1883; and whether, seeing that this farm does not constitute a portion of the Knight of Kerry's home farm now any more than it did at the time of the eviction, he will have inquiries instituted so that this man may be reinstated in his farm.

MR. BRYCE: The Estates Commissioners inform me that they communicated with the landlord's agent with a view to the reinstatement of Michael Shanahan in the holding from which his father was evicted. The Commissioners were informed in reply that the holding now forms part of the landlord's home farm, and that the landlord has spent a considerable sum of money in improving it, and is not desirous of parting with it.

Cavan and Leitrim Light Railway.

MR. THOMAS F. SMYTH: I beg to ask the President of the Board of Trade if he is aware of the fact that the directors of the Cavan and Leitrim Light Railway intend closing four flag stations on the line to goods and mineral traffic, at which there are sidings; and, as the ratepayers in the guaranteeing area are paying a rate of one shilling in the pound, whether these stations will be left open to the public as heretofore, seeing that otherwise the ratepayers will have to bear increased taxation, as considerable traffic will be diverted from the line, and that when the line was being constructed about twenty years ago an agreement was entered into for the putting in of the sidings at those flag stations.

MR. KEARLEY: The Railway Company with whom the Board of Trade have communicated on the subject state that the flag stations in question will not be closed to goods and mineral traffic, and that a service thereto will be afforded three times a week. They explain that they have been obliged to restrict the use of these stations for goods and mineral traffic, in order to meet important through connections, and to effect reductions in the hours of labour of their servants without incurring heavily increased expenditure, and thus adding to the burden of the guaranteeing area.

Legislation by Reference.

MR. BRAMSDON: I beg to ask the Prime Minister whether, having regard to the difficulties and objections attending legislation by reference, he will, in order to facilitate the construction of Acts of Parliament and by way of convenience, consider the advisability of arranging that where a reference is made hereafter to individual sections of another Statute, a copy of such individual sections shall, wherever possible, be placed in the form of a footnote on the same page of the Act of Parliament in which the reference is made.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): I doubt whether the printing of Sections of Acts of Parliament for reference in the shape of footnotes would greatly facilitate the interpretation of Acts of Parliament. There are, I understand, many enterprising lawyers who seize upon new Statutes and elucidate them in a way which it would be impossible to excel; and the handbooks which contain their handiwork are issued at a price which makes them accessible to all. I should like, however, to add that if the House would look favourably upon the efforts which are made from time to time to consolidate existing Statutes it would do more than anything else to provide a solution of the question.

BUSINESS OF THE HOUSE.

MR. KEIR HARDIE asked the Prime Minister what Bill would be taken when the Land Tenure Bill had been disposed of.

SIR H. CAMPBELL-BANNERMAN: I understand that the Leader of the Opposition wishes to ask me a Question on the subject.

MR. A. J. BALFOUR (City of London): Yes. By the arrangement come to this morning, we are to finish the Report Stage of the Land Tenure Bill to-morrow night. I should be glad to know the views of the Government with regard to the business on Thursday and Friday, and, if possible, Monday also. Some of us will not be able to be here on Thursday night, and therefore it would be convenient if business of a non-controversial character could be arranged.

SIR H. CAMPBELL-BANNERMAN: I do not wish to take any step or make any statement that would seem to lower the dignity of any Bill, but on Thursday we contemplate going on with the Merchant Shipping Bill, and, if that is concluded, we intend to take the consideration of the Report of the Committee on Procedure on Friday, and on Monday to take the Plural Voting Bill.

MR. KEIR HARDIE asked when the Government intended to take the Workmen's Compensation Bill and the School Children (Provision of Meals) Bill.

SIR H. CAMPBELL-BANNERMAN said that he did not think it was possible to fix any date until after the Plural Voting Bill had been disposed of.

LAND TENURE BILL.

As amended (by the Standing Committee), further considered.

MR. REMNANT (Finsbury, Holborn) moved the omission of Clause 5 (Compensation for unreasonable disturbance). The subject of the clause, he said, was wholly distinct from other matters with which the Bill dealt, and its omission would improve the Bill and its chances of passing into law. Under the Agricultural Holdings Act, as amended by the Bill, a quitting tenant had ample security for the refunding of his capital. To give him also a permanent hold upon that which he had only hired for a limited time would be to endow him with something he had not paid for. In commercial transactions no one would propose to give a borrower the right to retain capital beyond the time for which he borrowed it, if the lender wished to recover it, and a proposal to make the lender pay a fine for resuming possession of his own money would be universally scouted. Why should not the principle of common honesty apply also to contracts concerning agricultural land? He had studied the Bill carefully and, like others who were interested in the agricultural question, he was anxious to do anything he could to assist legislation which would benefit the land owner and also the tenant. But such a clause as this could only be defended if English landowners were in the habit of evicting their tenants unreasonably, or of imposing unreasonable terms as conditions of renewal. This notoriously had not been the case. The Royal Commission on Agricultural Depression in their final Report in 1897, said ample evidence showed that as a general rule—

> "Landlords are most anxious to keep their tenants, and in many cases made great sacrifices in order to retain them, unfair or capricious disturbances being exceedingly rare."

The Commissioners went on to say they were unable to see upon what grounds a quitting tenant who had received compensation for unexhausted improvements could justly maintain a claim for compensation for disturbance, and they expressed the opinion that "no countenance should be given to any such demand." A similar view was expressed by the Royal Commission on Agriculture in 1882—that—

> "No compensation should be required from landlord or incoming tenant except for outlays valuable in future cultivation of the farm."

Such recommendations should receive attention from a Government which so largely availed itself of the assistance of Royal Commissions, and which ought, therefore, to be the last to depart from their findings. The pull of the market was against the landlord; it was less easy for him to find a new tenant than for a tenant to find a new farm, while the outlay involved was a substantial reason for a landlord to avoid a change of tenancy. The late Sir W. Harcourt in 1874 gave useful advice to an audience of land tenure reformers at Oxford when he said—

> "Don't begin by ballyragging the landowners. You will only set their backs up and defeat your object. To hear some of these people talk you would suppose they had never seen a live specimen of an English squire."

The interests of the landowners and the community generally were identical in preserving the permanent fertility of the soil. There was no justice in taking from the owner his right to prefer one tenant to another. Such curtailment of a legal right would encourage absenteeism, cause ill-will and interminable litigation turning upon the words "unreasonable" and "due and sufficient cause." The clause would have a one-sided operation, the landlord being fined for a change of tenancy, the tenant being free to move away at will. That landlords held up land that might be let for building was an unfounded charge, but undoubtedly if the clause became law it would in some cases, at least for a time, act as a deterrent from bringing land into the building market. Again, let them take the case of a landowner who wished to divide a part of a farm at the end of the tenancy into small holdings or allotments, for which the right hon. Gentleman the Member for the Bordesley Division of Birmingham pleaded so earnestly in his recent book on Land Reform. Some hon. Members might also have read another eloquent plea for such action made by a well known writer on agricultural matters, viz. Mr. Kebbel. That gentleman had writted in the *Nineteenth Century* of July last—

> "The subdivision of tenancies would undoubtedly inflict some hardship upon sitting tenants. But I do not see why this result should be inevitable. As tenancies expired such arrangements might, of course, be made without harm to anyone."

Under the clause such action would obviously be seriously hindered. The clause went a long way towards dual ownership. The broad question to his mind was whether they were going to continue the land system of this country as it was to-day, or were they going to destroy it? Personally he shared the opinion so well expressed by the late Mr. Gladstone in 1890 at Hawarden, when he said—

> "The best and most wholesome system is that which now prevails, the well-working of which depends on the wisdom and good conduct of the people concerned, where the soil is owned by one set of men, and occupied and cultivated by another set of men."

Irish experience showed that a dual system could never be a satisfactory and lasting settlement. For that, if for no other reason, he trusted the House would decide to omit the clause from the Bill.

MR. MUNRO FERGUSON (Leigh Burghs), in seconding the Amendment, said the fifth clause was rejected by the Scottish Chamber of Agriculture on grounds with which he entirely agreed. He had expected to see a Government Amendment on the Paper concerning this clause, because at the conference of the Scottish Chamber of Agriculture the question was put before the President of the Board of Agriculture, who said that the hon. Baronet in his behalf had given notice of an Amendment to the clause which would confine the compensation payable to the actual cost to the tenant who was disturbed in the occupation of his holding. He did not see any clause to that effect. He thought there was an objection to the clause either as it stood or with the restriction. He was favourable to the restriction if it could be applied, but he had come to doubt the wisdom of it because the costs of the arbitration would eat up a great deal more money than that which changed hands. It was simply that consideration which had led him to be rather sceptical as regarded several clauses of the Bill, as he thought that the costs under the whole system were going to be extraordinarily heavy. No doubt there were various ways in which the costs could be mitigated. If the Board of Agriculture gave free arbitration it would greatly decrease the cost, but he did not know whether the taxpayer would altogether appreciate it. Taking the clause as it stood, he would like to hear some jstification for the proposal. He did not see the need for it so far as Scotland was concerned, and it had been repudiated by the tenant farmers' organisation. He did not think the clause meant very much. The amount of money that would change hands would not be very great, and so far as it went it simply amounted to the transfer of a portion of one man's property to another. That was the blunt result of it, and it needed some justification. The costs would be placed upon the in-coming tenant. One of the curses of the Irish land system had been the enormous debt burden upon the in-coming tenant, and the Bill as it stood would not only very largely add to the burden of the in-coming tenant, but it would add a wholly new burden, because he would have to pay for any evil deed committed by the owner in the getting rid of a tenant whom he should not have got rid of. In practice he thought it would be the exceptional case that would not come under arbitration. It would be extremely difficult to discriminate between the tenant who was and the tenant who was not entitled to compensation; in practice a much larger proportion of claims would come up than the promoters of the Bill supposed. The cases of hardship in which tenants received notice to quit without cause were very few. If they could see their way to make a landlord suffer for harshly treating a tenant he would be delighted, but he did not think it would be done under this proposal. It was a clause which should be considered along with any general scheme for land legislation. If it were intended to give fixity of tenure to large farmers and at the same time cut up large farms for small holdings, then the Government were riding two horses which were moving in opposite directions. The clause ought not to have been brought before the House until the whole scheme of the Government for land reform had been fully considered. They were getting into conflicting currents, and this clause being a doubtful one ought to be excluded from the Bill. The Scottish farmers wanted an alternative clause, but apparently the promoters would not give it. Why they should be forced to have what they did not want and be refused what they did want he had not been able to make out. The Scottish case would have to be separated from the English.

Amendment proposed—

"In page 3, line 16, to leave out Clause 5."—(*Mr. Remnant.*)

Question proposed, "That the word 'where' stand part of the Bill."

SIR EDWARD STRACHEY (Somersetshire, S.) thought it might clear the air if he were to state exactly, as he was authorised to do, what the President of the Board of Agriculture meant by what he had said in reference to this question. His noble friend had said that he wished to confine the compensation payable under this clause to the expense of removal and actual costs. He did not mean by that to confine the compensation merely to the cost of removing household goods from one farm to another or elsewhere. He meant to include such loss as was incidental to the change of tenancy, such for example as might be incurred through a forced sale, or the disposal of a milk walk, for which the tenant might have paid a considerable sum as goodwill. In the case of having a forced sale the tenant might not be able to dispose of it satisfactorily, and therefore it was only fair that he should have compensation for the business that he had built up in his farm and in his business. His noble friend did not at all mean that the tenant should have compensation for losses outside his business, such as losing his post as overseer or church organist. The Government did not propose to give in this case "moral or intellectual" damage, but only the actual loss sustained by the man who had to quit his farm unreasonably and without good and sufficient cause. The hon. Member for Leith Burghs had referred to the case of transferring one man's property to another.

MR. MUNRO FERGUSON: I should like to call my hon. friend's attention to the actual words used. The President of the Board of Agriculture said that the hon. Baronet had given notice of an Amendment to the clause which would confine the compensation payable to the actual costs of the removal of a tenant who was disturbed in the occupation of his holding. That is not quite the interpretation which the hon. Baronet is putting upon it now.

SIR EDWARD STRACHEY said all he could say was that he was authorised to explain what the President of the Board of Agriculture meant by the words used at Edinburgh. He assured his hon. friend also that he was just as loth, without good and sufficient reason, to transfer one man's property to another; and he repudiated the idea that the clause did anything of the sort. As to the costs falling on the incoming tenant, he reminded his hon. friend that the Bill was governed by the Acts of 1883 and 1900. By arbitration the expenses of the incoming tenant, under a valuation, were payable by the landlord. It was true that, as a matter of convenience, an arrangement was often made between the landlord and the incoming tenant to relieve the landlord of the burden of the tenant's outgoing. But that arrangement was merely between themselves; the incoming tenant was not bound, unless he chose, to take over those liabilities. The man to be shot at by the outgoing tenant was the landlord. Permanent improvements, for example, were paid for by the landlord. The whole object of the clause was to give compensation where a landlord had harshly and cruelly exercised his rights as a landlord. The number of landlords was very small who treated their tenants harshly and unreasonably in respect of questions affecting the good and efficient management of their farms. The cases were few where a landlord had been found to act unreasonably, but if there was a case showing unreasonable, unfair, and harsh action, it was only right that the landlord should be made to compensate the tenant for the loss arising from his removal from the holding. Upon these grounds the Government thought it right to have a clause of this kind in the Bill giving protection from capricious and harsh landlords. Whatever might be the case in Scotland, English farmers, at least, had approved of this particular clause. He might have been inclined to suggest some modifications which would meet reasonable objections, because a Bill that had been adopted by the Government naturally needed more revision than if it had been their own measure. But he found that suggestions of that kind which had been made had only lengthened the debates. If the Government were met in a reasonable spirit they would show an equally reasonable spirit in every possible way, as well as no desire to force the clause down the throats of hon. Members.

MR. WALTER LONG (Dublin, S.) said the last sentences of the hon. Baronet's speech were very cryptic. Did he mean because of the reception given to his Amendment yesterday he did not propose to move the Amendments standing in his name on the Paper? Or did he propose to move additional Amendments to those on the Paper? It would simplify discussion if the hon. Baronet would let the House know exactly what he meant. He was sure no one would desire to throw the smallest blame upon the hon. Baronet because he was unable to do more than carry out the instructions he received, but he thought hon. Members were entitled to comment on the difficulty in which they found themselves when the Minister responsible for the Bill in this House pleaded as an excuse for the shortcomings of his own statement that he could not go further than the instructions he had received. It was obvious that if the hon. Baronet was to confine himself to retailing to the House the explanations given by the President of the Board of Agriculture the House would be in a difficulty, because it was clear that the Amendments on the Paper, even with considerable alteration, did not give effect to what the Opposition believed to be the intention of the Government as represented by what the President of the Board said in Edinburgh. They understood that it was the intention of the

Government to limit very materially what was regarded as the injurious portions of the clause. But the statement of the hon. Baronet meant that there was to be no limitation at all, and that when a tenant was called upon to quit his holding he was to be entitled to compensation for disturbance over and above, and independently of, the money he received for the improvements of his holdings. The hon. Member for Leith Burghs had told the House that in many cases compensation would not be large. The hon. Gentleman was a high authority on any question relating to agriculture, but he would forgive him for saying that it would be very difficult and dangerous to lay down any definite compensation limit, and that, in many cases the actual amount payable for compensation would be considerable. Moreover, it was the literal truth that, adopting the proposals of this clause, and at the same time declaring in favour of the sub-division of existing holdings and the creation of new holdings, would be like riding two horses going in different directions. Not a single speaker had shown the case that it was desired to remedy. Supposing the landlords of this country were as black criminals as some people thought them to be, there was one thing that ought to be borne in mind, and that was that it paid them to treat fairly those who were good occupying tenants. There was no practical agriculturist in the House who had not had to deal with cases of this kind. Let them take a case where a tenant farmer was occupying a farm of 700 acres, and it was clear, though the tenant did not admit it, that he was carrying more land than he could profitably occupy, and that the farm ought to be divided. This was an operation which would cost the landlord a considerable sum of money, for a new farmhouse or buildings would probably have to be erected. Did hon. and right hon. Gentlemen on the Government side really think that the landlord was going to run the risk of such heavy expenditure if, in addition, he was to be liable to an action for disturbance, and for the loss which would undoubtedly accrue if the tenant had to sell his stock at a price which he would not think gave him a fair return? Take the case of a man holding 100 acres, not one small holding would be got out of that if once this principle of compensation was adopted. Apart altogether from its injustice, this clause embraced an absolutely new principle in land legislation and nothing would be more injurious to the sub-division of holdings, or the erection of fresh holdings, or do so much to retard movements in this direction than the policy contained in this clause. In putting it forward the Government were deliberately adopting the policy of compensation for disturbance embodied in the Irish Land Acts. When a man was called on to vacate his holding, not because he was being treated unfairly or harshly, but because the landlord wanted possession, the landlord was required to pay compensation. That was not right. It was a monstrous injustice, and he hoped that Members generally would hesitate before they committed themselves to this clause which would be the most serious and disastrous step ever taken in English land legislation.

THE SOLICITOR-GENERAL (Sir W. ROBSON, South Shields) said it would be very unwise if he and his friends did not recognise that there was something in the arguments that had been addressed to the House, and if they did not endeavour, so far as they could, to frame the clause so that it would not unduly impede subsequent legislation relating to small holdings. He did not suppose anything he could say or suggest would remove objections to the principle of the clause, but if he suggested modifications it might lessen the hostility. With regard to the words in the first part of the clause "unreasonably and without good and sufficient cause," he quite agreed that the words were very vague. A definition was thought to be necessary and was desired by both parties and he proposed to leave out these words and to accept those which had been suggested by the hon. Member for Hertford—namely—

> "For a reason other than would be looked upon as usual and proper on a well managed estate."

The words of the clause as they now stood imposed upon the tenant in putting forward his claim the obligation of proving that he had been deprived of his tenancy "unreasonably and without good and sufficient cause." The *onus* of proof did not lie on one party alone. The tenant who claimed compensation had to establish a *prima facie* case, and it rested with the other side to meet the claim. The landlord had to show good and sufficient cause. In reality "unreasonable" and "without good and sufficient cause" were very nearly equivalent terms. It would be in the interests of the landlord to retain one of them. The hon. Member suggested words of limitation. It had been suggested to him that appropriate words familiar to all who were acquainted with legal documents and more easily construed would be "good estate management." The Government had no desire unduly to enforce the limitation, and thought that where the landlord without good and sufficient reason — unreasonably and without good and sufficient cause, if the House preferred that form of words—and "for some reason unconnected with good estate management," refused to renew or continue the tenancy, the tenant should be entitled to compensation. An obligation would be thrown on the tenant to prove that his tenancy was determined for reasons not connected with good estate management. The House must be careful not to put too much in. If a landlord, desirous of creating small holdings, took land from his tenants for that purpose, and the tenant claimed compensation for disturbance, the landlord might say, "I am trying to make more holdings, and that is good estate management." In such a case it would not be sufficient for the tenant to prove that the change was not in accordance with good estate management on the ground that he was paying more rent than the landlord would receive from the small holdings or the market gardens; for the arbitrator might say that the landlord was only using his estate as he was entitled to use it; but it must also be established that in so doing the landlord was inflicting a malicious or unnecessary wrong upon the tenant. Therefore the House must not only say "reasonably and as connected with good estate management," but that for the determination of the tenancy there was good and sufficient cause. There need be no fear at all that the arbitrator would refuse to recognise this. His discretion was wide and would undoubtedly cover the case of good estate management. The twofold obligation that would be imposed on the tenant who made a claim would be a substantial limitation to any unreasonable claim the tenant might bring forward. As regarded the other part of the clause, as he had said, the words were the same thing, but from the lawyers' point of view were necessary. When more onerous terms and conditions were required from a tenant that determined the old tenancy. If a contract was varied a new contract was created. But although the words were not absolutely necessary many draughtsmen thought they should be retained, because they would make it clear that they were not to apply to a contract that had been terminated, but to some fresh conditions. In looking through the Amendments there was one which really struck him as being better. He thought better words for the purpose were those in the Amendment standing in the name of the right hon. and gallant Member for the Newport Division of Shropshire. That Amendment was to leave out from "Where" to end of clause, and insert—

> "It can be shown that an increase of rent is demanded from a sitting tenant as the result of improvements to a holding affected at the cost of such tenant, and for which he has not, directly or indirectly, received an equivalent from the landlord, and where such a demand results in the tenant's quitting the holding, he shall be entitled, above and beyond any compensation to which he may otherwise have a right by law or agreement, to further compensation not exceeding in amount ten times the annual increase of rent so demanded."

If the Leader of the Opposition and the hon. Gentlemen who sat with him chose to accept that Amendment he thought it would be an improvement of the Bill. The tenant as a rule obtained compensation under the Act of 1883, but he did not do so in all cases. There were some cases under the Act where the tenant could only make improvements with the consent of the landlord, and there might be some cases where the tenant, relying on obtaining the consent of the landlord, made the improvements before obtaining it—and in those cases he would not obtain compensation. He did not speak authoratively on this matter, but on the acknowledged authority of the right hon. Gentleman opposite he thought the fact that the tenant was being rented on his own improvements ought to be a case for obtaining compensation. Another advantage which the Amendment possessed was that it specified one case only in which the landlord might raise the rent. The clause did not purport to forbid the landlord in all circumstances to raise the rent. Of course, if it were proved that the landlord was raising the rent simply to get rid of a tenant obnoxious on political or religious grounds,that would be evidence in favour of compensation for disturbance on unreasonable grounds. But the arbitrator would have no right to say whether the rent was reasonable or not. That would be quite outside his obligations, and it was not a bad thing to make that clear by specifying the one case in which the arbitrator had express jurisdiction to deal with the raising of the rent. It would help the construction of the clause by showing that the clause had not given the arbitrator the powers of a rent Court at large. The Amendment would first of all exclude the right of the landlord to raise the rent on the tenant's improvements, and, secondly, it would prevent the clause from being applied in some wide, general way which would interfere with the landlord's rights in respect of matters which the framers of the clause had not in mind. After the arbitrator had ascertained that there had been dismissal without due cause, he would next consider what was the loss.. As it stood, the phrasing of the clause was extraordinarily and dangerously wide, especially for a lay arbitrator. Nothing looked easier to interpret than the word "loss." But highly-trained and highly-remunerated minds could find a dozen meanings for it. A Judge would construe the word by reference to the subject-matter and general scope of the Bill; but the tendency of the lay arbitrator would not be towards limitation, but towards unduly magnifying his award. Therefore there ought to be some indication to the arbitrator not to construe the word "loss" beyond the limits of the Bill, but to confine it to what related to agricultural holdings. Some words should be introduced to confine the compensation to those things which were directly connected with the estate or the soil, so as to make it reasonable compensation for a real disturbance. When these matters were considered he would not pretend to say that he would have removed all the objections of right hon. and hon. Gentlemen opposite, but they would be suggestions which they were free to accept or to reject.

MR. A. J. BALFOUR (City of London) thought everybody who had heard the very interesting and important statement just made by the learned Gentleman would feel that he was doing his very best to mitigate the objections of those who disliked this clause, and also to put the Bill into a condition which would make it tolerable to many who objected to the Bill for its looseness of wording and indifferent drafting. Everyone must admire the lucidity in which the hon. and learned Gentleman had dealt with an extremely difficult case. The discussion in which the House was now involved was a very instructive comment upon the special difficulties and the great inconvenience attaching to the adoption by the Government of a private Member's Bill upon a difficult and complicated subject, and also showed the limitations of the discussion on such a measure upon the Report Stage. The hon. and learned Gentleman had now shadowed forth to the House a number of Amendments, which represented not merely concessions to the Opposition, but also what, in the view of the Solicitor-General. were real and necessary modifications of the Bill itself. He hoped the lesson would go home to those who were responsible for the course that had been adopted, and that they would feel that important legislation could not be conducted through the House of Commons unless it were conducted from the very inception under the auspices of the Government responsible. As to limiting the discussion, hon. Members would agree that he was not one of those who had been reluctant to admit that some modification of the amount of discussion which took place in this House might be, not only desirable, but necessary. He had not taken an obstructive part in regard to the legislation of this Government in the past. He thought there was a good deal to be said in favour of limiting the opportunities of the discussion of a Bill both in the Committee and on the Report

Stage. But he would honestly prefer, if there was to be any limitation, that it should be on the Report Stage. When this clause had passed through the ordeal of the Report Stage and had been modified in the manner outlined by the Government, the House would for the first time see a clause wholly different from the clause originally introduced, and if it disliked the clause it would have no further opportunity of dealing with it. That was a rather serious matter. In regard to the proposed Amendments, the policy and intention of the Government was that there should be no compensation for disturbance for any tenant who had to quit his holding in consequence of the ordinary incidents of a well-managed estate. Amongst the incidents of a well-managed estate were not only the division of holdings in order to make smaller holdings, but sometimes also the consolidation of holdings. It was impossible to exclude the possibility that the holdings might be required for consolidation, and would not constitute a case for compensation. If a landlord reasonably desired to take the land into his own hand again, that would be in conformity with good management, and no compensation would be paid. These Amendments would greatly improve the general scope of the clause. So far as he was personally concerned, he could not find himself reconciled to anything which established a dual ownership. He did not know why in some cases the landord should not be given compensation. If new principles of legislation were to be laid down he could not see why the treatment proposed should not be meted out to unreasonable conduct on the part of the tenant. The amount of loss, inconvenience, and suffering which a mortgagee might inflict by unreasonable conduct was enormous. Nevertheless he thought the House would do well to hesitate before it declared that a mortgagee who insisted unreasonably and without due cause upon his debt's being repaid at a particular time ought to pay compensation to the borrower. Could a distinction reasonably be drawn between that case and the case which the House was considering? If Parliament were to plunge into this legislative bog and try to penalise everybody who used unreasonably rights which could not in the interests of the community be withdrawn, they would have to deal not merely with landlords, but also with mortgagees and employers and employed, with a master who gave arbitrary notice to a servant, and a servant who gave arbitrary warning to his master. It was a mistake to regard the landlord as a man who simply owned an unimproved area of land, and the tenant as a capitalist who turned that unimproved area to account. Landlord and tenant were co-operating capitalists, and of the two it was the landlord who provided the largest amount of capital. It was consistent with no rational scheme of social economy to say that one partner should be treated on wholly different legislative principles from the other partner. He viewed with great dislike the whole principle of this clause, and the intensity of his dislike was only mitigated by the concessions of the hon. and learned Gentleman. When dealing with Ireland twenty or thirty years ago, the Legislature had to meet a case in which the tenant not only contributed the movable capital, but was the real producer of the permanent buildings. But in England and Scotland the landlord provided the fixed capital and the tenant the movable capital. It was alleged that we were living under a feudal system. We lived under a system of ownership and tenancy which with differences of detail was universal. The House ought to approach the subject in a more cautious spirit and with much greater regard for general principles than it semed inclined to show. He insisted strongly on this point, feeling that the House sincerely believed that it was in its power to carry out great social schemes of amelioration, and that it could only avoid irreparable disaster if it carried them out with a clear, simple, and accurate conception of the fundamental underlying principles which he did not think could be abandoned so long as the present individualistic system of society existed.

*MR. ACLAND (Richmond, Yorkshire) said he would like to reply, and he did so with diffidence, to the last few words of the argument of the right hon. Gentleman. He had said that logically there was no difference between the position of the farmer who was given notice to quit and that of the landlord who at great inconvenience and expense to himself received such notice, and that if they set up this principle of giving the farmer compensation for unreasonable disturbance they ought to extend it to the workman in the towns or to the employer in the towns or to the tenant in the town house, or to any other class who habitually entered into contract with the persons above or below him. He ventured to submit that there was a very great difference between the position of the farmer and the position of almost every other class that could be imagined in this respect. If they were to compare his position with that of the ordinary workman who was given a week's notice to discontinue his employment they must realise the total difference of the two positions. In the case of the workman his capital was his skill. He could very likely get employed the week after at the same trade. There was nothing like the same loss that must occur to the farmer whose capital was not his skill but so largely consisted in animals and things which he could not easily remove when he himself moved away. It was the same with the town tenant who was given notice to quit his house, but could easily get another one in the same neighbourhood. That again was quite different from the case of the farmer. He submitted that the farmer had a special case, and it was only because they had for years realised this that they intended, if they could, to pass this special legislation in his favour. This clause was far and away the most important clause in the Bill. He was perfectly certain in his own individual case that he won more votes from advocating the principles of this clause than by any other point connected with agricultural policy or the land system. He had an instance of the popularity of this matter on the previous night when he happened to be speaking in the constituency of the right hon. and gallant Gentleman the Member for the Newport Division of Shropshire. He found there in speaking to an audience which he must admit was not particularly pleased with what he said—was not particularly receptive on the fiscal question about which he was talking—that it rose as one man and applauded almost wildly in favour of this particular clause in this particular Bill, which it evidently cared for immensely. He believed that would be found to be the case in a very large part of agricultural England. He wanted to say a word about the fear that seemed to exist in the minds of hon. Gentlemen as to the amount of litigation which this clause would involve. He believed it had been very largely exaggerated. The ordinary farmer would be very unwilling to run the risk of bringing his landlord into court if he knew there was any chance of its being shown that he had neglected his farm, because if that could be shown against him in any way he would leave the court with the reputation of being a bad farmer and would find it much more difficult to get another farm. And in the same way he believed the landlord would not be anxious to take his tenant into court if there was something like a case of unreasonable disturbance. The vast majority of landlords were perfectly reasonable men, and if this clause passed there would not be a great deal of bickering and litigation. They would perfectly reasonably say, "I recognise that for reasons of one sort or another I have had to give you notice. I offer you a certain sum under this clause to compensate you for the sudden necessity you are in of realising your capital, perhaps at a loss, and looking for another farm" In his opinion, such offers would be in by far the greater number of cases accepted, and the extra number of cases coming into the law courts would be very small indeed. He wanted to make a point as to the great fear of dual ownership. He believed that with the Amendments which had been indicated there would be very little fear of the clause setting up any such system. The right hon. Gentleman the Member for South Dublin was right in saying that the farmers as a whole did not desire a system of dual ownership. Those who had advocated the principle of this clause had never in the least tried to make out that it was meant to lead to a system of dual ownership or tenant right. They had simply argued it as a clause which would, if passed, avoid the chance of capricious ejectment, and not as a clause which would change the whole conditions of tenancy in this country. They wanted to secure for the farmer in case of capricious ejectment the difference in money value which would come to him between his leaving the farm at his own convenience and desire, and his leaving it at his landlord's convenience and desire. To those who feared that the clause might prevent the division of farms into small holdings he might, perhaps, be allowed to say a word. Those who advocated the clause did not intend to do anything which might make it harder for farms in the future to be divided into small holdings, or for justice to be done to the would-be small holder or labourer. It was inconceivable that under any system of facilitating small holdings less would be offered to the large farmer who might be expropriated than was offered under this clause. When they came to this question they would have to give the large farmer whose farm was divided the compensation offered under this clause, and they would not find when they came to deal with the question of small holdings that anything they might do under this Bill would stand in the way of increasing, as they all hoped to do, the number of those holdings throughout the country. People on the other side and throughout the country had often said during the agitation on this Bill, particularly on this clause, that there was no reason for it, that capricious disturbance did not take place—it was an imaginary grievance, and there was no real case in which the clause would operate. Landlords who said that carried out perhaps even too fully the scriptural injunction of not letting their left hand know what the right hand did. At any rate, although they themselves were very often blameless they could not know what happened in great parts of the country and what was done, not by them but by their agents, and how there was in many parts of the country the fear of intolerant and unreasonable action on the part of agents on account of matters connected with religion and politics and not with agriculture at all. There were many districts where, perhaps, only one case of that sort was known, and yet the knowledge of that case and the fear of similar action being taken in other cases had spread a sort of funk throughout the whole district, and had made the proper relations between landlord and tenant much more difficult than they would be if such cases were simply and properly provided for as was proposed under this clause. This was meant to be a definite and strictly limited thing. He looked upon it as persons looked upon the Parish Councils Act. Not much use had been made of that Act. Things went on very much as before, but there the Act was. The people of a place could always appeal to the Act and get things done by the parish councils if they wanted it. And in the same way, although there would not be many cases of this sort under the clause, there was a great gain, as the farmer would know for once and all that so long as he cultivated properly and reasonably he was absolutely secure.

COLONEL KENYON-SLANEY (Shropshire, Newport) after congratulating the hon. Member for the Richmond Division on his speech, said he had come down to the House with the intention of saying something rather strong against this clause, but, speaking for himself alone, after the speech of the hon. and learned Gentleman the Solicitor-General, he felt inclined to change his line of attack, so much did he appreciate the courteous and kindly way in which the learned Gentleman had spoken, and the real magnitude and value of the suggestions he had thrown out for the consideration of the House. The hon. and learned Gentleman had made it, he thought, comparatively clear that he had a *bona fide* intention in this matter, and that the protection he intended should flow from the adoption of such words as "good estate management" was real and sincere. In "good estate management" he understood was included such instances as those of a landlord taking upon himself the very natural duty of setting an example, and of being rather in the van of any agricultural movement for the development of new ideas. He was certain that he had the hon. Member's sympathy and that of others with him when he said that anything in the direction of building cottages and improving the accommodation on the estate generally for the working classes connected with that estate would certainly be an instance of good estate management, and yet in order to carry out such improvements it might be necessary under certain circumstances to take land which otherwise the tenant might not be willing to give up and which might cause him rather a hardship if made to give up. He could not, of course, attempt to follow in detail what would be the result of the suggestions made by the hon. and learned Gentleman. He looked forward with the greatest interest to seeing them come forward one by one in their proper places, and they would be considered in the spirit in which they were put forward. He understood that there was a lurking apprehension among his hon. friends that there might still remain in the suggestions of the hon. and learned Gentleman something too much akin to dual ownership to make them acceptable. He (Colonel Kenyon-Slaney) had made it no secret that he hoped there might be brought about an arrangement whereby this clause could be so amended as to pass with the consent of both sides. He did not for a moment ask or suggest that any right hon. or hon. Gentlemen should in any way resign any principle to which they attached great value, but he did suggest that while it was very wise to maintain a good and just principle, it was not wise to shy at a shadow or to magnify a danger which might not be a real one, and which it might be possible to avoid altogether by a wise acceptance of Amendments.

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) said that although his objections to the clause would be to a certain extent mitigated by the Amendments foreshadowed by the Solicitor-General, they were very nearly as strong as they were before, because to his mind the objection to the clause was not in its probable future working. He had never attached very much importance to the immediate actual results which would come from the passing of the clause as it originally stood. He had always held that these cases of capricious eviction were extremely rare, and when they were inquired into it was probably found that the eviction was due to bad farming or to some other reason unknown to those who spread the rumour about the eviction. And therefore he thought the clause as it stood would not have any very great practical effect, because it would not very often be called into play. But in that clause, with the Amendments foreshadowed, there lay the objectionable principle which had been alluded to namely, the principle of the right to sit, which was practically dual ownership. The tenant who had been long on the estate suffered a moral hardship if he was turned out of the estate for no good cause. But had he a right to sit there? If he had, that right must be negotiable. The direct corollary of giving that right a monetary value was that it might be parted with to somebody else. They were told that loss by removal was to be compensated for. That meant that if the tenant stayed, and did not remove, it gave him certain rights. That would be the stepping-stone for saying in future legislation that the tenant's sitting on the farm was something which he could sell to a future tenant. If that was not the beginning of the dual ownership system which had done so much harm in Ireland, he would like to know where such a beginning could be found. As to the question of limiting compensation, it was all very well to limit it, but the principle remained. He believed it was intended to limit the right of compensation to the actual loss suffered in the agricultural value of the holding. Would that include a bad sale by the tenant of his stock, because, if it would, how was the arbitrator to know how much of the deficit in the amount realised was due to the untimely removal, or to the intrinsic demerits of the stock itself, or to unfortunate circumstances over which the landlord had no control whatever? Then, again, if the landlord had to take the risk of loss owing to the sale of the stock, was it a corollary that if the farmer made money by the removal—had a better sale than there was reason to expect—then the landlord was to pocket the proceeds? Though he would not advocate that, it seemed to him directly to follow that the landlord should bear the loss if the sale was unprofitable. The point he wished to emphasise was that it would be impossible for any arbitrator to say how much of the loss on the removal was due to the action of the landlord, and how much to the circumstances over which he had no control whatever. An hon. Gentleman in the course of the debate had made reference to the part of the clause which dealt with the more onerous conditions as terms of renewal. For his part he quite agreed with the Amendment of his right hon. friend the Member for Newport, who had an Amendment on the Paper providing that a landlord should not raise the rent on the tenant's own improvements, and he would be very glad to see a provision of that sort brought into the Bill, if it could possibly be done. He thought that would meet the whole difficulty of the case. Hon. Gentlemen opposite practically admitted that that was the case, because they said that if the tenant was reasonably and with sufficient cause removed from his holding, then he was not going to suffer damage. Now, the sentimental damage to the tenant—which they could not compensate him for—was the same whether he was evicted capriciously or for the sake of turning the farm into small holdings. Why, therefore, in one case, were they going to compensate, and not in the other case? That only proved that all compensation was really beside the mark, because they were going to try to estimate moral and sentimental loss. All the grievances therefore would be perfectly well met by the Amendment of his right hon. friend, which would stop what they were all anxious to stop, the raising of rent on tenants' own improvements. That would not be open to the objection that they were introducing dual ownership, and which, he was afraid, the clause would still be open to when the Amendments foreshadowed by the Solicitor-General were embodied in it.

THE SOLICITOR-GENERAL FOR SCOTLAND (Mr. URE, Linlithgowshire) said he regretted that the outcome of the discussions upstairs had been insufficient to reconcile the noble Lord to the clause. Very different, however, was the attitude of the right hon. and gallant Gentleman the Member for Newport, who in Committee was almost irreconcilably opposed to the clause. Hon. Gentlemen on his own side of the House welcomed even more gladly the calm and conciliatory attitude of the Leader of the Opposition, in the interesting and suggestive speech to which they all listened with deep attention. He did not at all misunderstand the position of the right hon. Gentleman and those who acted with him. He realised that they entertained a fundamentally different view with regard to the clause from tha taken by the Government. He readily recognised that there was no Amendment which could be suggested from that side of the House which would make the clause palatable to the right hon. Gentleman and his friends. He saw that there was a deep fundamental difference of principle between the two sides of the House. He did not deny that the clause made a not unimportant change in the law both of England and of Scotland; but, at the same time, he thought it was just possible that the House might exaggerate the importance of the change, and he had felt that perhaps the lawyers were more disposed to exaggerate its importance than the agiriculturists. They were going to introduce a clause giving a man a right to claim damages for what was undeniably no breach of contract. They were going to give a tenant a right to claim damages against his landlord for failing to renew the tenancy at the legal termination of the tenancy, or for putting the tenant out of the holding at the time when the landlord was legally entitled to put him out of the holding. Therefore, they were making an important change in the laws. He could not remember any instance in which a claim for compensation for damage was given where there had been no breach of contract; he admitted that readily. On the other hand, let the House remember what it was that this clause did. Stripped of all legal verbiage, all that it did was to give the tenant a claim for compensation if his landlord by mere whim or caprice either refused to renew the tenancy or determined the tenancy. He was not going to say for a moment that it was only bad landlords who did that. Good landlords might well do it. A very good landlord from every point of view might take some inconceivable dislike to a man—he could not exactly say why himself, but he just wanted to get rid of him. At the present moment, undeniably, the landlord was legally entitled to get quit of him. When the lease came to an end, and the time came for renewal, he might well say, "I decline to renew to that particular man. He is an excellent farmer—I have nothing to say against his moral and agricultural qualities, but I dislike the man and am determined to get rid of him." No one could deny that that was an attitude which could be understood—for the landlord was a human being. But, after all, was it not a hard thing that a man who had behaved himself well, had cultivated the land well, had lived a long time on the holding, had made it his home with his wife and family, and was thriving and doing well, should suddenly find himself turned to the door and asked to seek about for a new home, where he must drag his household goods and make a settlement for his wife and family. They all felt instinctively that that was a hard case. It was a little too late in the day to say that they must treat land like any other property. Whenever they had a man settling down and doing well in a place, they felt instinctively that that man ought not to be disturbed. Since at least the days of the Land Clauses Act they had all rcognised in this country that there were reasons of public policy which might well justify them in interfering with rights of private property. When great public undertakings were at stake land was required, and they had for many years given authority to railway companies and other undertakings, municipal and otherwise, to take land against the will of the landowner. Thus Parliament had really treated land in a different way from other property. During the nine or ten days that this Bill was passing through Committee upstairs he felt that somehow, if they could get out of the minds of hon. Gentlemen opposite that this change in the law did not mean dual ownership, they would have done a good deal to remove their apprehension, and the obligations of some hon. Gentlemen who had so heroically and legitimately and honourably supported the rights of the landlords would have been got over. Let them see whether, if this clause became law, they would really have introduced dual ownership. He was not at this moment going to discuss what the consequences of introducing dual ownership would be. After all, the much more important question was, were they introducing it? He would offer to the House three tests; firstly the right of possession; secondly, the right of use and employment; and thirdly, the right of disposal. If the clause became law, if they found that the relation between landlord and tenant stood those three tests, he thought right hon. and hon. Gentlemen opposite would agree with him that dual ownership was not to be found in the Bill. If two men were private owners of a property, one of them could not legally evict the other from that property. One of them could not dispossess his joint proprietor. But, if this clause became law to-morrow, a landlord might turn out his tenant at the termination of the tenancy, without any condition of any kind being imposed upon him.

VISCOUNT HELMSLEY: He would have to pay him.

MR URE said he had felt quite sure that the noble Lord would say that. He was about to point out that this clause did not make the landlord's right to turn out the tenant conditional upon paying damages. He readily recognised that if this clause made it a condition of the landlord's right to terminate the tenancy that he should pay damages there would certainly be a trace of dual ownership. But let the House remember that there was not a single condition imposed upon the landlord. He might, with perfect freedom, refuse to renew the tenancy and turn out the tenant at the legal term, and if the tenant could establish to the satisfaction of the arbitrator that he had suffered loss, then the landlord's right was not conditioned by the payment of damages to the tenant. The question was never raised before the arbitrator until the tenancy was done with, and the tenant then came and said, "My tenancy has been terminated. I have been compelled to go and seek another farm, and make another home for myself. Give me damages for that." They did not come to the assessment of damages and to the arbitration at all until the tenancy was entirely terminated. Moreover, if the landlord was to become bankrupt the tenant's claim would not be satisfied. He would not be able to recover one penny of the sum to which the arbitrator found him entitled, and yet the landlord would be absolutely entitled in law to turn him out of the tenancy. That was a vital and radical test of dual ownership. Dual ownership never could exist if one of the joint owners could exclude the other from the property. Then there was the second test, right of use or employment. Did anyone ever hear of two joint owners of property, one of whom was entitled to say, "I will not put that property to any use whatever, I shall occupy it myself, but I decline absolutely to let my joint owner put his foot on it. I shall cultivate as I think proper, or let it go out of cultivation." If this Bill became law to-morrow the landlord would be able to put the tenant out of his tenancy, and either to keep the farm in his own hands, or let it to another tenant, without saying "By your leave," to the tenant. He knew of no dual ownership under which one of the dual owners was entitled to put property to any use he pleased, or to no use at all, without saying "By your leave" to the other. His third test was the final and conclusive test of the disposal of property. He did not know of any property held jointly, of which the joint proprietor was not entitled either to sell his share, or, if the property was indivisible, to bring an action to have it divided, or to bring it to a sale, if it could not be divided, and to divide the proceeds of the sale between the joint owners. There was a test which, he submitted, was absolutely final and conclusive. Any joint owner of any kind of property was entitled to bring that property into Court and insist upon its being sold, or to insist upon its being divided. If this Bill became law to-morrow was it suggested that the landlord would be compelled, if he desired to sell his property, to bring his tenant into Court and to say "By your leave" to the tenant before he was able to dispose of his own property? Tried by all these tests it was plain that there was not the faintest trace of dual ownership, even if they gave the tenant, as they proposed to do, a claim for damages for what at present was not breach of contract. If the efforts of the Solicitor-General were successful in re-framing that part of the clause which gave the arbitrator the right to fix the damages, then he thought the whole sting, so far as the landlords were concerned, would be taken out of the clause. He very much agreed with what his hon. and learned friend had said about the difficulty of laying down rules for an arbitrator who had to assess damages. It was well known to hon. Members that, when they went before a Judge to assess damages, the Court always erred on the cheese-paring side, and he could never divest from his mind the idea that he could only give damages for what directly caused the wrong. On the other hand he readily allowed that a lay arbitrator—even an exceptionally intelligent arbitrator such as they got under the Agricultural Holdings Act—might go wrong, and probably would go wrong, when he came to assess damages, unless he had very definite instructions given in the Act which he had to administer. And therefore in another part of this Bill he supported very strongly an Amendment which directed the arbitrator's attention to the precise sum which he was to give, and did not leave him with a sort of roving commission to give as much as he liked, having regard to sentiment and other perhaps purely personal grounds. He did his best upstairs so to limit this clause that the arbitrator would have his hands tied and his course clearly defined. He was unsuccessful then, but, the Bill being in better hands now, probably it would fare better, and, when the clause assumed its final form, he ventured to express the hope that right hon. and hon. Gentlemen opposite would realise that a change not so far-reaching and revolutionary as they thought would be made in the system of jurisprudence of both countries.

MR. A. J. BALFOUR asked permission of the House, on a pure question of procedure, to make a suggestion. Perhaps he had a right to do so, as he entered into a bond yesterday that the whole proceedings on this stage of the Bill should be concluded to-morrow. He noted that a great many of his hon. friends desired to speak upon the principle of this clause, but he thought the principle would inevitably come up on some of the far-reaching Amendments suggested by the Government. He did not propose that they should necessarily stop the general discussion now, but he did say that it would be very desirable not to delay long the time when they would have before them the scheme of the Government. At present they had only got that scheme in the speech of the Solicitor-General, who did not even read the words of some of the Amendments that he intended to propose, and the House did not know what they were. He was anxious that the discussion should not be unduly curtailed, but he only hoped it would be remembered that some of the most important work they had yet to do on this clause was before them.

COLONEL LOCKWOOD (Essex, Wapping) said that although the Solicitor-General for Scotland had endeavoured to remove their fears he had not allayed his suspicion and dislike of Clause 5, and he believed it would have been much better had it never been inserted in the Bill. The real reason why the Bill had been introduced was because the Government and their supporters wished to pose as the genuine friends of the agricultural classes. When he looked back upon what the Party now in opposition had done for agriculture he was not astonished at the envy and admiration with which the Liberal Party looked upon their work. The Party now in power had provided very meagre fare compared with the excellent and luscious dishes set forth by the Conservative Party. In order to redeem their promises the Government were going to substitute for the friendly intercourse that had hitherto existed between landlord and tenant nothing but hard, dry, legal bargains. As a landlord, therefore, he would have to employ a cheap solicitor or a reasonable barrister at a reasonable fee. The cost would come to £25 or £30, and to a poor man like himself the charge was serious. He honestly maintained that it was a mistake to substitute these legal bargains for the friendly and happy relations which now existed, and he hoped always would exist, notwithstanding the legal element, between the landlord and the tenant. He feared that the clause as well as the Bill as a whole would produce complications where no complications had hitherto existed, leading to unfriendly feeling between landlord and tenant, and that the benefits supposed to be conferred would be largely imaginary.

*MR. MONTAGU (Cambridgeshire, Chesterton) said the Solicitor-General for Scotland had stated that he could not remember another case in which legislation had been attempted to prevent the freedom of refusing to renew a contract which had come to an end. Might he respectfully suggest an almost complete analogy in very recent years where it was enacted that a right granted to a man to enjoy temporarily should not be refused to him when the question of renewal was being considered, without compensating him for the refusal to renew? He referred to the Licensing Act. A great deal had been heard about the future of the small holder. Hon. Members opposite were afraid the Government would not be able to create small holders in sufficiently large numbers because of the possibility of having to compensate tenants where disturbed. Only a few days ago hon. Members opposite had shown intense anxiety because they thought that they had discovered some labourers who had been disturbed without being compensated in the small holdings created at Burwell. It seemed that hon. Members viewed with complete equanimity the suggestion that in order to institute a number of small holders on the land they should disturb tenant farmers, who in the past had been asked to look upon hon. Members opposite as their friends, without granting them the right of compensation at all. It was also urged that a great defect of the Bill was the cost of arbitration. The supporters of the Government hoped that it would be rarely necessary to apply this clause in actual practice. It was meant primarily as a deterrent; and all that it was intended to do was to ensure the doing by every landlord what hon. Members opposite who were landlords assured the House they did every day. If hon. Members were right in supposing that no landlord ever acted in an unreasonable way towards his tenant—a rather optimistic view—then the idea that the cost of arbitration would be prohibitive, or that the clause imported into the law a new and evil practice, was a bogey which need not concern them. As to dual ownership, the Leader of the Opposition asked why, if they compensated tenants for disturbance, they should not compensate the landlord when the tenant left his holding without reasonable cause. He would for a moment pay the right hon. Gentleman the compliment of taking his suggestion seriously. The great and essential difference was that when they refused a renewal of his lease to a farmer, they turned him out of the house in which he and his family had been accustomed to live perhaps for generations, whereas if a landlord had to look for another tenant, he had at least left to him the home in which he had been accustomed to reside. The right hon. Member for South Dublin had described the clause as the most reckless piece of legislation he had ever known. When the right hon. Gentleman first began to make remarks of that sort about each clause as it was debated he admitted he was impressed, but by the time the right hon. Gentleman would have assured him that the last clause—that dealing with the title—was the most monstrous enactment ever attempted, he would be able to listen to the right hon. Gentleman unabashed and unashamed. He doubted if there was any hon. Member on the Ministerial side who did not fully appreciate the great debt which rural social life owed to the great landlords of England. He considered them at their best indispensable to the prosperity of the country districts, where they often took on their shoulders not only the whole social organisation of the small villages, but sometimes the whole duties of local government, and that in the most ungrudging way. But a measure like this, by which they endeavoured to prevent landlords acting by their property and their tenants in an unreasonable way, would tend to strengthen and protect a system which in its perfection they all desired to see strengthened and protected.

MR. HICKS BEACH (Gloucestershire, Tewkesbury) said hon. Members opposite appeared to be more fortunate in discovering cases of capricious and unreasonable disturbance than hon. Members of the Opposition, and he was very much inclined to think that if they had heard the other side of the case they would most probably have found in the end that the disturbance had been much more reasonable than unreasonable. In support of that contention there was the evidence afforded by the Royal Commission on Agriculture in 1897, which expressly declared that cases of unreasonable and capricious disturbance were exceedingly rare, and that in ninety-nine cases out of 100 the tenant gave notice to the landlord. He did not wish to quibble with the Solicitor-General for Scotland over the question of dual ownership, but did not the hon. Gentleman agree that if a tenant under Clause 7 were allowed to transfer his holding, and if the landlord was not able to give the tenant notice to quit without paying him compensation, it followed that the landlord lost a very great deal of his original control over his own property? That was a contention which he thought hon. Gentlemen opposite could hardly dispute. The effect must ultimately be that the landlord would either cease to take as much interest in his property as he had done before, and would cease to spend that money on improvements to his property which he had done in the past, or he would do what he was told several landlords had already done, namely, give notice to their tenants and farm their land themselves. He did not say that the poor landlord would do this, but he would undoubtedly cease to spend his money on improvements to his property, and the rich landlord would farm, at any rate, the best part of his property himself. These were two consequences which had made him oppose this Bill very strongly: they would certainly happen if Clauses 5 and 7 were passed in their original form, and instead of improving the condition of land tenure in this country, they would go a long way to become the death-knell to the existence of the tenant farmers. He had opposed this Bill because he had looked to the interests of tenant farmers and because he saw under this clause a proposition that would take away from the lawful owner of property that thorough control over it which he ought to have. He contended that if a man saved money and chose to invest it in land that property was just as much his own as if he invested his money in Consols or anything else. He had also had serious apprehension about this clause because he felt it would be absolutely unworkable in practice. He agreed with the principle that underlay this clause, of putting a stop to the capricious dismissal of a tenant; but he thought public opinion, which had altered very much upon that question during the last twenty or thirty years, was a far greater deterrent and far more effective in preventing that than any such clause as was now proposed. He quite admitted that the Amendments which the hon. and learned Gentleman had announced his intention of accepting had gone a long way to do away with some of the objections to the clause, but he still objected to the principle that remained, namely, that a tenant should be entitled to compensation for disturbance, and he should therefore vote against the clause although he should give cordial support to the Amendments that had been promised.

Mr. VERNEY (Buckinghamshire, N.) said the right hon. Member for the Epping Division had mentioned his fear that hard legal bargains would take the place of good relationship between landlord and tenant. He thought that the relations between landlord and tenant, if they were to be on all occasions as good as they would wish them to be, should be based on equity and justice and fair dealing. Nothing could be fairer than that it should be thoroughly understood, not that there should be dual ownership of land in England, which he did not think was the least bit required, but what the property of the landlord was on the one hand, and what the property of the tenant was on the other. Dual ownership of course, meant dual ownership of the same thing, and that was not proposed. What was said was that the property of the landlord was one thing, and the property which the tenant had created in the land by his own labour and skill was another, and that the tenant should have the right to feel it was really his own. The proposals in the amended clause—and indeed he should have said those in the original clause—were based on that clear understanding and distinction between the ownership of the landlord and that of the tenant. They might look forward with satisfaction to the further discussion of this measure, especially after the prospect that had been held out by the right hon. Member for Shropshire of a good understanding between landlord and tenant, on which the peace and the prosperity of agriculture depended.

Mr. ABEL SMITH (Hertfordshire) regretted that the last speaker had not taken a larger part in the debate, and that the Solicitor-General had not attended the Committee. He did not think that any Bill dealing with such an important subject had ever been conducted in such an extraordinary way. The Solicitor-General seemed to think this clause was necessary to meet cases where by his caprice or whimsical action the landlord refused to renew the lease. The question to his mind resolved itself into this—whether the landlord, the owner of an agricultural holding, had a right to terminate or renew a tenancy for some personal reason. All these questions of religious and political matters not connected with the agricultural interest were personal questions. The question whether the landlord had the right to get rid of a tenant who was personally distasteful was a matter of principle, and by this clause the right of the landlord to give his tenant twelve months notice was restricted; that would be an undue interference with the right of property hitherto enjoyed under the law of the land. The speakers on either side had failed to distinguish between agricultural and other kinds of tenancies. In his view a much stronger case could be made out for giving other classes security—say the working classes in their homes—

than the agricultural classes in their holdings. The hon. Member for Richmond had told of the difficulty a farmer had in removing his stock. He forgot that horses and beef could walk. That was not so serious as the case of the working man who might receive notice to quit his cottage and at the same time lose his employment, his whole means of livelihood. The hon. Member had absolutely failed to convince the House that a distinction could be drawn between a landowner and any other landlord. There had been some talk about dual ownership, and it was quite clear this Bill interfered with the perfectly legal right of the landlord to give his tenant twelve months' notice. That was the first step towards a different position of the law. There was an exactly parallel case in the legislation for Ireland during the last forty years. Irish legislation began in the same way. In 1870 Mr. Gladstone submitted his proposals for compensation to tenants in Ireland for disturbance. There was an excuse for that which did not exist in the case of England, because Irish tenants had in many cases reclaimed the land and erected the house and buildings, and his title was recognised by custom. That was a good excuse if not a good reason for legislation of that kind, but it did not exist with regard to the land system in England. Immense practical difficulties would be found in carrying out arbitration under this clause. The arbitrator would be an agricultural valuer. Imagine the case of a landlord having given notice to his tenant and the tenant claiming compensation for disturbance and insisting that the landlord's action was due to whim or caprice. That would raise a question of immense difficulty quite outside the region of the arbitrator. He knew that the President of the Board of Agriculture once evicted a tenant for keeping too many rabbits. He did not say the noble Lord was not justified, but the tenant did not think so, but regarded his action as most unreasonable. If such a case could happen on the estate of the only good landlord in England, cases would arise in other parts of the country when this clause came into operation. He quite admitted that the Amendments suggested by the Solicitor-General modified opposition to the clause in detail, but so far as the principle was concerned objections remained, and he and his friends were as much opposed to it as ever.

MR. NICHOLLS (Northamptonshire, N.) said the reason he supported the clause was because it was within his knowledge that many tenants had been removed from their holdings, and quite recently, for reasons that so far as he was able to judge were not good and sufficient. This clause would not affect good landlords who were always ready to help their tenants. A few weeks ago a case came under his notice of a man who had held his farm for sixteen years. He was recognised as a good farmer; the agent went to him and said—

> "If you will agree to go out of the district, I will give you as good a testimonial as any tenant farmer could wish to have."

The agent was anxious to get rid of the tenant because of his views. In such a case he thought the tenant was entitled to compensation for unreasonable disturbance. The hon. Member for Leith Burghs had said the Bill did not satisfy the people of Scotland. He presumed they wanted something more. This particular clause would meet grievances that he had recently met with, and he urged every Member in touch with agricultural interests to support it.

MR. WILLIAM RUTHERFORD (Liverpool, West Derby) said his first objection to the clause was its want of mutuality; they were asked to adopt it because of its equity to the tenant, but as he said it was without mutuality. If this clause passed, tenants would have what would practically amount to a freehold interest. It was not a question of dual ownership, as the Solicitor-General for Scotland had said, but one of an ownership that was single and of a very solid character. The tenant in possession for a limited term, if he did not want to go could not be compelled to go unless the landlord paid him for his loss. Therefore, the tenant was entitled to stay for ever and defy the landlord unless the landlord paid him his loss. Now what was the amount of that loss? It was the whole amount of his interest which was coming to an end, so that he would be a freeholder subject to the rent reserved in his lease. Let the House take the case of a new railway passing through the estate of the landlord, but not through but close to the estate of a particular tenant. The immediate result would be an additional value of 10 per cent. to the tenant's property. The landlord would get all the disadvantage and the tenant all the advantage. Would the landlord be entitled to compensation from the tenant for the increased value of his holding? How did the hon. and learned Gentleman get out of that difficulty?

SIR W. ROBSON said it would be much better to deal with this question when they came to the words of the clause. The hon. Member was now discussing the clause which was subject to alteration. He was afraid the longer they took in discussing the general terms of the clause the less time they would have to discuss the details.

MR. WILLIAM RUTHERFORD said he was grateful to the hon. and learned Gentleman for what he had said, but at the same time he had not told the House how they were going to incorporate into the clause the words he desired to see included. He wished to ask these questions so as to enable them to be dealt with if possible. Suppose a landlord spent money on drainage and thus increased the value of the tenant's holding. The tenant's loss would then be greater when he went out. Was the landlord to pay that? He hoped that point would be provided for in some reasonable way in the clause the Government were going to bring in. The landlord was by this clause precluded from improving his own land, because if he improved his tenant's holding he would have to pay more to get the tenant out. Any legislation which prevented a man from improving his own property was a mistake. The next question was, was this a personal or a transferable right? Could the tenant's right to compensation for disturbance be sold or assigned? Would it pass to his widow or executor in event of his death? Could the tenant enjoy the right through a manager or bailiff or must it be in his personal enjoyment? In the other clause of the Bill the tenant must have done something, have been damaged by game or have made some improvements. But in this clause he had done nothing for this compensation for disturbance. He wanted to know whether it was personal to the tenant or assignable? The next question was the most important. Did this apply to every class of tenant, or only to the rack-rented tenant? Take the case of an old servant who was put into a farm at a rent which was less than the actual value of the land. When his term came to an end a renewal was refused, and he was told to go. The loss that he might claim then would be the difference between the rent he paid and the actual value of the land. Did this clause apply to such a case as that? If it only applied to rack-rented farms, there might be a glimmer of reason in it. But if it applied to tenants who were not paying rack-rents, it was obvious that under the clause it would be possible to do a large amount of injustice. Would the Government accept an Amendment at the end of the clause to the effect that the tenant who was entitled to compensation should at least satisfy the arbitrator that he had complied with the provisions of Clause 4, and had done his best to protect and improve his holding? In dealing with a matter of principle like this, he thought he was entitled to some explanation.

Question put.

The House divided:—Ayes, 289; Noes, 75. (Division List No. 406).

AYES.

Abraham, Wm. (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud)
Ambrose, Robert
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baring, Godfrey (Isle of Wight)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beauchamp, E.
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, W.(T'wrHamlets,S.Geo.
Bennett, E. N.
Berridge, H. T. D.
Bertram, Julius

Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordshire
Bolton, T. D. (Derbyshire, N.E
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh)
Brunner, Rt. Hn Sir J. T. (Chesh.)
Bryce, J.A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Byles, William Pollard
Chance, Frederick William
Cheetham, John Frederik
Cherry, Rt. Hon. R. R.
Clarke C. Goddard
Clough, William
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W
Corbett, C.H. (Sussex, E. Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crooks, William
Cross, Alexander
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickson-Poynder, Sir John P.
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Ot'ey)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Ellis, Rt. Hon. John Edward
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gardner, Col. Alan (Hereford, S
Gibb, James (Harrow)
Ginnell, L.
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Gwynn, Stepehn Lucius
Hall, Frederick
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Hazel, Dr. A. E,
Hedges, A. Paget
Helme, Norval Watson
Henderson, Arthur (Durham)
Higham, John Sharp
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Jackson, R. S.
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Sir D. Brynmor (Swansea)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Lever, W. H. (Cheshire, Wirral)
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln)
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Donnell, T. (Kerry, W,)
O'Dowd, John
O'Grady, J.
O'Kelly, Conor (Mayo, N.,
O'Kelly, James (Roscommon, N
O'Shaughnessy, J
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearson, W.H.M. (Suffolk, Eye)
Philipps, J. Wynford (Pembroke
Pickersgill, Edward Hare
Pollard, Dr.
Price, C. E. (Edinburgh Central)
Price, Robt. John (Norfolk, E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, Thos. (W. Monm'th)
Richards, T. F. (Wolverh'mptn
Richardson, A.
Ridsdale, E. A.
Roberts, Chas. H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, Sir C.E. (Manchester)
Scott, A.H. (Ashton under Lyne
Sears, J. E.
Seddon, J
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Smyth, Thos. F. (Leitrim, S.)
Snowden, P.
Spicer, Sir Albert
Steadman, W. C.
Stewart-Smith, D. (Kendal)

Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred(Merthyr
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Tillett, Louis John
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Wadsworth, J.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent
Wardle, George J.
Warner, Thomas Courtenay T.
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham Mid)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord(Norfolk,Mid)
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Arkwright, John Stanhope
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Baring, Hon. Guy (Winchester)
Beach, Hn.MichaelHughHicks
Beckett, Hon. Gervase
Bignold, Sir Arthur
Boyle, Sir Edward
Bridgeman, W. Clive
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cavendish, Rt. Hn.Victor C.W.
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt.Hn.J.A.(Worc
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Corbett, A. Cameron (Glasgow)
Courthope, G. Loyd
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fell, Arthur
Ferguson, R. C. Munro
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East)
Hamilton, Marquess of
Hardy, Laurence(Kent,Ashford
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Heaton, John Henniker
Helmsley, Viscount
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Kennaway, Rt. Hn.Sir John H.
Kenyon-Slaney, Rt. Hn.Col.W.
Keswick, William
Kimber, Sir Henry
King,Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Long, Rt. Hn.Walter(Dublin,S.
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Mason, James F. (Windsor)
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield
O'Neill, Hon. Robert Torrens
Pease, HerbertPike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rawlinson,John Frederick Peel
Remnant, James Farquharosn
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith, Abel H. (Hertford, East
Smith, F.E.(Liverpool, Walton
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark
Warde, Col. C. E. (Kent, Mid)
Wortley, Rt. Hon. C. B. Stuart
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

COLONEL KENYON-SLANEY moved an Amendment the effect of which would have been to substitute the following clause for the clause contained in the Bill :—"Where it can be shown that an increase of rent is demanded from a sitting tenant as the result of improvements to a holding effected at the cost of such tenant, and for which he has not, directly or indirectly, received an equivalent from the landlord, and where such a demand results in the tenant's quitting the holding, he shall be entitled, above and beyond any compensation to which he may otherwise have a right by law or agreement, to further compensation not exceeding in amount ten times the annual increase of rent so demanded." He said that by this Amendment he desired fairly and fully to meet what he believed to be the gravest of the grievances alleged against the present state of things. He had heard many complaints about the position of the tenants under the present law. But when these complaints were winnowed down the real essence of the grievance was the increase of rent demanded from a sitting tenant as the result of his own improvements. If there were any such cases as those alleged, if there was such a thing as an increased rent being demanded from the sitting tenant as the result of his own improvements, made at his own expense, for which he had received no equivalent, it was a scandalous proceeding. He would go far to remedy such a wrong inflicted on a tenant. In moving his Amendment he had to guard himself from cases in which an increase of rent was asked as the result of improvements in respect of which the landlord had directly or indirectly given an equivalent. But he thought the clause plainly showed what he had in his mind and the way in which he proposed to meet the grievance complained of. He was not wedded to the exact way in which compensation should be given or to the amount he had assigned. It was his desire to make the amount substantial and equivalent to the amount of injury the tenant had suffered. He begged to move.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) formally seconded the Amendment.

Amendment proposed—

"In page 3, line 16, to leave out from 'Where,' to end of the clause, and insert the words 'it can be shown that an increase of rent is demanded from a sitting tenant as the result of improvements to a holding effected at the cost of such tenant, and for which he has not, directly or indirectly received an equivalent from the landlord and where such a demand results in the tenant quitting the holding he shall be entitled, above and beyond any compensation to which he may otherwise have a right by law or agreement, to further compensation not exceeding in amount ten times the annual increase of rent so demanded.'"—(*Colonel Kenyon-Slaney.*)

Question proposed, "That the words 'the landlord' stand part of the Bill."

SIR W. ROBSON said he need not repeat what he had already said. He would say exactly how much he proposed to take of this Amendment. The early part of the clause would read—

"Where the landlord unreasonably and without good and sufficient cause terminates or refuses to grant a renewal of the tenancy."

Then followed certain words which were unnecessary in lines 18 and 19. Those he proposed to omit and to insert the words of the hon. Member—

"Where it can be shown that an increase of rent is demanded from a sitting tenant as the result of improvements to a holding effected at the cost of such tenant, and for which he has not, directly, or indirectly, received an equivalent from the landlord, and where such a demand results in the tenant quitting the holding;"

and then followed the latter part of the clause. The right hon. Gentleman's words would come in in substitution of the words left out.

MR. A. J. BALFOUR thought that if the plan of the Government was to be carried out his right hon. and gallant friend should withdraw his Amendment by the leave of the House, because, if it was negatived it could not well be revived, although the Government were willing to accept part. Before he asked for a formal ruling on that point he would ask the hon. and learned Gentleman a question as to the Amendment itself. How was it possible to show that the increase of rent was demanded for a particular reason? That involved a psychological analysis of the intention of the landowner, and no committee or arbitrator could penetrate his brain to discover his reasons. On the point of order, he wished to know whether it was not necessary for his right hon. and gallant friend to withdraw his Amendment if there was to be any chance of part of it being accepted.

*MR. SPEAKER said it would be desirable that the right hon. and gallant Gentleman should withdraw his Amendment, but he would point out that the Question he put was that the words "the landlord" stand part.

COLONEL KENYON-SLANEY said he would be glad to meet the suggestion of his right hon. friend and withdraw the Amendment on the understanding that the words would be introduced in the place which the hon. and learned Gentleman had indicated.

Amendment, by leave, withdrawn.

SIR W. ROBSON moved to amend the clause so that it should read that where the landlord without good and sufficient cause and "for reasons inconsistent with good estate management" disturb a tenant, the latter should be entitled to compensation on quitting.

Amendment proposed—

"To insert in page 3, line 17, after the word 'cause' the words 'and for reasons inconsistent with good estate management.'"—(*Sir W. Robson.*)

Question proposed, "That those words be there inserted in the Bill."

MR. LANE-FOX asked whether the disturbance of a tenant on the ground that he had been guilty of immoral conduct amounting to a public scandal would be a reason consistent with good estate management?

SIR W. ROBSON replied that he did not think such a reason would come within the definition of "good estate management." It would be within the discretion of the arbitrator to say whether it was good and sufficient cause.

MR. ABEL SMITH regarded "good estate management" as meaning something connected with the management of the estate as an industrial concern, something to do with the agricultural management of the estate. He understood that if a case arose in which the landlord alleged that his reason for giving the tenant notice was that he had caused some scandal, that would be a matter in which the arbitrator would have to decide whether the landlord had good and sufficient cause outside anything to do with the agricultural management of the estate for giving the man notice. There was no doubt that many agricultural valuers throughout the country were perfectly competent to deal with that question, but there might be others who were not. Questions would be submitted to these excellent men quite outside their ordinary province, which was to make farm valuations and that sort of thing. They would have an entirely new duty cast upon them and that was the reason he for one looked upon this clause as being absolutely unpractical and unworkable. He did not think it was good business to submit to agricultural valuers, who were experts in one special branch of knowledge, questions of morals. The landlord would say, "I have good reason for looking upon this man as an undesirable person, as a man whom it would be to the public advantage to get rid of." What was the wretched arbitrator to do? He did not know whether many of them would be satisfactorily equipped to settle such questions as that. If he were one of these men he would be very sorry indeed to take the job on. He thought the clause even in its amended and improved form would not be of any practical advantage to agriculture.

SIR FREDERICK BANBURY (City of London) said there was no doubt this was a very important matter. There were going to be two valuers and if they did not agree there was to be an arbtrator. The two coming together for the first time would probably be local auctioneers. They were excellent men and thoroughly understood their business, but when difficult legal points were placed before them he did not think it was likely to result in any great advantage to either party in the arbitration. It must be remembered that these people would not always go before the arbitrator appointed by the Board of Agriculture, because it was likely that in order to save expense to both parties they would agree. The Solicitor-General earlier in the evening had said he did not put very much faith in the decisions of arbitrators, and he gave very excellent reasons, but there, again, he (Sir F. Banbury) was rather filled with apprehension, for he gathered from him that the arbitrator always gave more than he ought to. That was rather bad for the landlord. It must not be forgotten that the tenant would always be the receiver under this Bill. He would ask the Solicitor-General whether he could not guard the words in the Amendment so as to give some definite guide to the arbitrator? The words as they stood were very vague. They might be held to mean anything.

SIR W. ROBSON said the words proposed to be inserted were in the interests of the landlord and any limiting words would necessarily weaken the Amendment.

MR. WALTER LONG said they were amending what was perhaps the most important clause in the Bill by Amendments as they went along, and which they only held in their hands as the result of taking down the words as the hon. and learned Gentleman uttered them. He did not depreciate the efforts he had made: they were singularly able. What he was a little bit afraid of were the words in which he introduced the system of good estate management. These words—leaving on one side the earlier words—would ultimately be the governing words in this part of the section. His hon. friend behind him had pointed out that everything would depend on the view taken by the arbitrator of the proper construction of these words. He thought they would be very difficult to interpret. There might be a general standard in a district which meant for that particular district good estate management. That would cover undoubtedly the general relations between the landlord and the tenant as regarded the cultivation of the holding, and would cover the farmer's position in regard to the carrying on of his occupation satisfactorily, not merely for one year but for a series of years. He was not clear that it would cover the power of the landowner to deal with a farm on part of the estate in order that the whole estate might be satisfactorily dealt with. He was very doubtful himself how far these words would be interpreted by an arbitrator to justify what might be called high-handed action on the part of a landowner towards his tenant, although the landowner might be animated by the strongest desire to do his duty by his property and by the district. Was it quite clear that the arbitrator would be entitled to say it was consistent with the principles of good estate management for a landlord to dispossess any of his tenants in order to create two or three small holdings when A. was in a position to show that the creation of these small holdings could be better effected by dispossessing B. or by taking land which did not belong to the landlord at all but to somebody else? This seemed to get rather behind the exact management of an estate, and he was afraid it would be found when every effort had been made to leave these words sufficiently vague to secure that there should be a presumption of right, both on the part of the landlord and of the tenant, that they might tend also in the other direction and embarrass the landowner, even though he desired to do his duty. He thought the House would admit that the case was involved, and that the conditions under which they were trying to work it out were very difficult. He had been trying to put the case of the owner of the land as a citizen doing his best with the property in the interest of the general community. That was the point of view from which they had to look at ownership of the land and its usages. Far be it from him to object to this Amendment. He objected to the clause altogether, and no Amendment could possibly be introduced that would remove his objections to the principle it sought to establish. Therefore, if they did not object to Amendments on that side of the House it must not be presumed that they waived their objections to the principle, or that they were prepared to abandon the position they had taken up. Notwithstanding the brilliant arguments from the other side of the House, they still held that the Government were establishing a principle which they were trying to safeguard, but which it was practically impossible to safeguard as it ought to be safeguarded. They recognised fully the efforts the Treasury Bench were making to do justice all round, but they were extremely apprehensive as to the practical working of this clause even in its amended form.

*MR. COURTHOPE (Sussex, Rye) said he had a suggestion to make which he thought would cover the cases of doubt which had been alluded to by his right hon. friend and also the case —which was really a serious case—of a public scandal. Could not the learned Solicitor-General add after "good estate management" the words "or public advantage." He would like to point out what a difficult matter this question of a public scandal was. In a case of which he had personal knowledge a great public scandal occurred and had been doing a lot of harm in the locality. Under the present system, it was perfectly possible for the landlord to get rid of the undesirable tenant in the interests of the public without stating his reasons, but if he had to state his reasons he would have to substantiate the case against that tenant. If he failed to substantiate it, presumably the landlord, and probably also the arbitrator, would be liable to a libel action. Very often there was not the slightest doubt as to the advisability in the public interest of getting rid of a person who was causing a public scandal, but it was a very different thing to bring the facts of that scandal definitely home.

Question put, and agreed to.

Mr. ABEL SMITH moved to leave out the words "or refuses to grant a renewal of." He thought there was a definite point in this Amendment. It drew a distinction between yearly tenancies—tenancies that went on from year to year, and, perhaps for hundreds of years—and leasehold tenancies for a definite term, which at the end of that term had to be renewed by the action of the two parties. The point he wished to put to the hon. and learned Gentleman was whether it was not a reasonable thing to draw a distinction between these two cases. Although he had no personal experience of agricultural leases he thought it was an unreasonable thing to say that at the end of a definite term—say at the end of nineteen years—the landlord should not have full discretion to say whether or not he would renew the lease. He himself would think it very unreasonable to have to go before an arbitrator in such a case to prove that his action was reasonable.

Mr. HICKS BEACH seconded the Amendment. He remarked that when a gentleman succeeded to an agricultural estate the probability often was that he was rather short of capital and ready cash, and it was quite conceivable that he would like to let the home farm for a period of say five years. Would it be an unreasonable thing for a landlord at the end of the five years to wish to occupy that home farm?

Amendment proposed to the Bill—

"In page 3, line 17, to leave out the words 'or refuses to grant a renewal of.'"—(*Mr. Abel Smith.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir FREDERICK BANBURY asked whether if a tenant died and left his property to his wife, the landlord was bound to let the farm to a woman presuming he did not want to do so. If that were so, it was a very strong argument for leaving out the words. It was not always consistent with good estate management to allow a woman to remain in possession of a farm.

Sir W. ROBSON replied that death would not terminate the tenancy. If the woman happened to be an executor and the landlord thought she was not competent to carry the farm on, the point would have to be decided by the arbitrator. That would come within the words, "good estate management." The clause was not intended to restrict the general rights of the landlord, but any specific act of an unreasonable and wrongful character.

*Mr. CAVE thought the landlord ought to know some months before the termination if a tenancy whether the tenant desired to renew it or not. As he read the clause, the tenant might wait till the very last day of his tenancy, and then say "I want to renew," and until the last day of the tenancy the landlord (unless prepared to meet a claim for compensation) could not make his arrangements to get a new tenant. That was a very serious matter, and he suggested that some words ought to be inserted providing that the tenant should give a certain amount of notice of his desire to renew.

Mr. WALTER LONG thought his hon. and learned friend behind him raised a point of substance in pointing out that at the last moment there might be a demand made by the tenant which, if it were refused, would expose the landlord to the consequences of this section. He did not know why the words "or refuses to renew" were kept in unless they were meant to apply solely to leases. Surely, the remarks of the hon. Member for Hertfordshire, when he pointed out that it must refer to a specific tenure for a fixed period, applied. Then, if the tenant or the landlord wished to renew, they were both open to do so, but with a clean slate, and with the power on both sides to make fresh terms, so that when the lease terminated a new state of things began. In the case of a yearly tenant, if the landlord were seeking to get rid of the tenant he gave him notice to quit, either at Michaelmas or Lady Day, according to the custom of the holding. Therefore they had sufficient assurance in regard to a yearly tenancy. In regard to a lease, however, he did not think the same conditions ought to apply, and there ought to be a limitation of the period within which the tenant could exercise his right of claiming a renewal.

MR. URE said that as far as regarded Scotland no risk of any kind would arise, because, if the landlord did not desire to renew he gave the proper notice to the tenant, and then the tenant said, "Yes, I want to stay on," and the landlord replied "But I will not have you staying on," and that would be under this clause refusing to renew. The point which the right hon. Gentleman had mentioned, he thought, never arose with them, namely, that the tenant at the last moment said "I want to renew." The tenant never did that. If nothing was said within the proper time, whatever it might be, the lease was renewed as a matter of course.

MR. WALTER LONG said the hon. Gentleman was dealing with the question of leases. Leases were the custom in Scotland, and the exception in England, and therefore they on that side of the House were looking at it from a different point of view.

SIR W. ROBSON asking to be allowed to intervene by leave of the House, as he thought this was a point that they ought to regard. The tenant ought to be obliged to exercise his rights within a reasonable time. They might adopt one of two plans: either drop the words or make special provision. At all events, though the Bill had not to go through another stage in this House, there were other stages elsewhere, and the point which had been raised should certainly be considered.

AN HON. MEMBER said that if the words "renewal of tenancy" were to relate to leases he quite agreed that it was very important to consider the matter of notice, but if the words were not intended to refer to leases they were mere surplusage, because a tenancy from year to year went on for ever: it could only be terminated by a notice on one side or the other. It seemed to him that if the words of the clause were intended to refer to leases, about which there seemed to be some doubt, then it was a matter for the learned Solicitor-General to consider whether it was the intention of the Government to make it clear that it should so apply. But if these words were intended to refer to tenancies which did not expire by effluxion of time, but which could only be terminated by notice, they were mere surplusage, and he thought they might go out.

MR. ABEL SMITH said he always looked upon these words as necessarily referring to leases for definite periods, because a tenancy from year to year went on for ever until there was a notice on one side or the other. Might not a distinction be reasonably drawn between the case where a landlord by his own action gave notice to terminate a yearly tenancy, on the one hand, and, on the other hand, the case in which a landlord, at the end of a definite period, whether long or short, refused to enter into an absolutely new contract with the tenant, whose first term had come to an end? There was a logical distinction between the two cases, and he understood from the Solicitor-General that the Government were prepared to consider whether it would be desirable either to omit these words or in another place to insert words to secure that the tenant, on his part, should act in a reasonable manner with regard to the request to renew. Under these circumstances he asked leave to withdraw.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 3, line 18, to leave out from the word 'or,' to the word 'the,' at the end of line 19.'"—(*Sir F. Banbury.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR W. ROBSON said he accepted this Amendment. They would have to insert the words—

> "Where an increase of rent is demanded from the tenant as the result of improvements which have been effected at the cost of such tenant, and for which he has not either directly or indirectly received an equivalent from the landlord, and such a demand results in the tenant quitting the holding."

Question put, and negatived.

Words omitted.

Amendment proposed—

> "In page 3, line 18, to insert the words 'where an increase of rent is demanded from the tenant as the result of improvements which have been effected at the cost of such tenant, and for which he has not either directly or indirectly received an equivalent from the landlord, and such a demand results in the tenant quitting the holding.'"—(*Sir W. Robson.*)

Question, "That those words be there inserted in the Bill," put, and agreed to.

SIR W. ROBSON said he intended to move the following Amendments:—

> "In page 3, line 20, to leave out from the word 'compensation,' to the end of line 25 and to insert the words 'for the loss or expense which a tenant, by reason of his quitting the holding sustains or incurs upon or in connection with the sale or removal of his goods, implements, produce, or stock;'"

And also—

> "In page 3, line 20, after the word 'shall' to insert the words 'in addition to the compensation, if any, to which he may be entitled in respect of improvements, and notwithstanding any agreement to the contrary.'"

SIR F. BANBURY said he would like to ask if the word "disturbance" was included.

SIR W. ROBSON said instead of putting in the word "disturbance" he was substituting what would be a definition for disturbance where the Amendment referred to compensation for such loss or expense as might have been sustained.

SIR F. BANBURY said it seemed to him that it was raising again the whole question of compensation for disturbance.

MR. DEPUTY-SPEAKER said as far as he had grasped the point of the Amendments they might be discussed together if the House so desired because of the words "in addition to."

SIR W. ROBSON said they might accept the second Amendment which he had read out and raise the discussion on the first Amendment.

MR. WALTER LONG said there were really two distinct questions raised by the Amendments. The first question was raised by the words "in addition to" at the beginning of the second Amendment. That raised the broad question whether there was to be compensation paid over and above the compensation hitherto contemplated. The other Amendment laid down what form that compensation should take. Those were two distinct questions, and he asked for a ruling that it should not be held that, if the first Amendment he had mentioned were adopted without objection on that side of the House, they had thereby admitted the principle of additional compensation, and therefore would be limited in the debate to that amount of compensation and the basis upon which it should be estimated.

MR. DEPUTY-SPEAKER said it was a matter on which he desired to meet the general wish of the House, and asked the Solicitor-General if he had any view he wished to express on the question.

SIR W. ROBSON said it might be considered, if they passed the first Amendment which began the definition of the compensation by saying that it was additional to compensation already due under existing Acts, that they had agreed to the principle. Well, so far as he was concerned, it would be clearly understood that they did not.

Amendment moved—

> "In page 3, line 20, after the word 'shall' to insert the words 'in addition to the compensation, if any, to which he may be entitled in respect of improvements, and notwithstanding any agreement to the contrary.'"—(*Sir. W. Robson.*)

Question, "That those words be there inserted in the Bill," put, and agreed to.

Amendment proposed—

"In page 3, line 20, to leave out from the word 'compensation,' to the end of line 25, and to insert the words 'for the loss or expense which a tenant, by reason of his quitting the holding, sustains or incurs upon or in connection with the sale or removal of his goods, implements, produce or stock.'" —(*Sir W. Robson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. ABEL SMITH, on a point of order, asked whether it would be open to any hon. Member to move an Amendment to this Amendment, because there were some very novel words introduced.

MR. DEPUTY-SPEAKER said that assuming that the words were left out, then the Question would be that the words proposed to be inserted should be inserted. At that stage would come the possibility of amending the new words that were to be inserted.

SIR FREDERICK BANBURY opposed the insertion of the words proposed, on the ground that they raised the whole question of compensation for disturbance. Earlier in the evening an appeal was made by the Leader of the Opposition, who suggested that if they wished to continue the discussion upon that particular point it would be more convenient if they raised it on an Amendment. Mr. Speaker gave his ruling that that might be done. The learned Solicitor-General for Scotland had told them that there need be no fear that these words would in any kind of way create dual ownership, but as against that opinion he might quote that of the learned Attorney-General for Ireland, who had declared that it was the principle of compensation as applied to agricultural holdings that undoubtedly led to the fixing of fair rents. The Solicitor-General had said they need be under no apprehension as this was merely an innocent clause which would amount to nothing except in the case of a bad landlord who, for political reasons, turned an otherwise excellent tenant out of the home of his forefathers. That was a very pleasant picture, but it was not the case. It was extremely rare that political sentiments entered into the matter at all, but it was a fact that if they once admitted the vicious principle of compensation for disturbance they would not stop there, but would go on as in the case of the Irish Land Act. They all knew what happened in Ireland. The British taxpayer had to spend £120,000,000 to undo the work which they were now going to do over again in England. But in England it would cost something like £700,000,000 to buy the land. He did not know where hon. Gentlemen below the Gangway were going to get old age pensions from if the sum he had mentioned had to be spent in order to buy out the dual owner they were creating under this clause. The Bill was a bad Bill, badly drafted, badly conceived, and would give justice to no one. He recognised the desire of hon. Gentlemen opposite to do the best they could under the extremely difficult circumstances in which they were placed, but it was impossible to amend this Bill with satisfaction to anyone. There was only one course open and that was to reject the Bill. What might happen under this clause? If, owing to a neighbouring sale taking place on the same day, the particular outgoing tenant had a bad sale, the landlord would have to compensate him for the loss he thereby sustained. Or, supposing it was a wet day and people did not go to the sale which was consequently a failure, would the landlord have to pay the tenant, or would the Act of God intervene to prevent the operation of the clause?

MR. URE said there seemed to be a suspicion that dual ownership still existed in this Bill. Even if the clause became law the landlord would still retain his absolutely unconditional right to terminate a tenancy or to refuse to renew a tenancy, without giving any reason, good or bad, for his action. All the clause said was that if a landlord did put a tenant out, if the tenant could prove that he was dispossesed unreasonably the landlord must pay the expense of the removal of the tenant to a new holding, as fixed by an arbitrator. There was nothing else in the clause so far as he could see. The hon. Baronet confronted him with the opinion of the Attorney-General for Ireland in which he was said to have declared that compensation for disturbance was the immediate precedent of fair rent. He, however, could not see that this clause would give a tenant any right to claim to have a fair rent fixed. The two things had no connection whatever one with the other, but even if they had, that fell very far from saying that compensation for disturbance was necessarily followed by dual ownership. Dual ownership and the fixing of fair rent were two different things. Because a man might be well entitled to go to a tribunal and ask for a fair rent he was not entitled to say he would remain on the holding whether the landlord agreed or not. It was the essence of dual ownership that the tenant could say to the landlord, "This farm shall be used as I please and not as you please," or, "This farm shall be sold, and I will have my share of the purchase price." There was nothing in the clause to empower the tenant to say such things.

SIR A. ACLAND-HOOD (Somersetshire, Wellington) said that if the Solicitor-General were in the position of the tenant farmer he would take a very different view of this clause than he had taken as a Law Officer of the Crown. The hon. and learned Gentleman had twice used the phrase "whim and caprice." That was different from the phrase used in the Bill. If the Government meant to adopt the expression "whim and caprice," he did not know that the Opposition would have very much objection; but the House must see that there was a difference between that and the word "unreasonable." He recognised the efforts of the Solicitor-General to meet the critics of the Bill; but their main objection to this clause remained, and that was the use of the word "sale." The condition as to the sale of farm stock on the termination of a tenancy involved the landlord and tenant in a great gamble. If it were a fine day there might be a good sale; if it were a wet day there might be a bad sale. Was it fair that the question of the value of the stock, as between landlord and tenant, should be made to turn upon the condition of the weather? This provision was a premium on the disagreeable tenant. The hon. Member for Sleaford told them last night a great deal about the Lincolnshire Chamber of Agriculture.

MR. LUPTON: There has been a peaceful settlement since then.

SIR A. ACLAND-HOOD: And a resolution passed by that Chamber of Agriculture on November 3rd.

MR. LUPTON: I said nothing about the Chamber of Agriculture last night. I carefully omitted mention of it.

SIR A. ACLAND-HOOD: Will the hon. Gentleman admit that farmers do not belong to that association or that farmers he represent do not belong to it?

MR. LUPTON: They belong to the Lincolnshire Farmers' Union, which was specially formed last year to deal with this question.

SIR A. ACLAND-HOOD said the resolution passed by the Lincolnshire Chamber of Agriculture stated that the Bill as a whole alienated the sympathy and help of the landlords, and would lead to litigation which would benefit only valuers and lawyers.

*MR. WINFREY (Norfolk, S.W.) said there were only eight members present at the meeting.

SIR A. ACLAND-HOOD said that only showed how little farmers cared about the Bill. The system by which compensation was to be assessed was one of chance. The best interest the tenant had was the credit he got from his landlord. Nobody would deny that during many bad seasons the tenant farmer had been able to pull through by the assistance and credit he received from his landlord. If the Government liked to make these relations too hard and to substitute what some people called "dirty commercialism" the men who would suffer would not be the landlords, but the tenant farmer and the men who received their weekly wages from him. In that case one bad season would break the tenant farmer.

*MR. WINFREY said the Lincolnshire Chamber of Agriculture was composed principally of the representatives of landlords, valuers, and agents. The tenant farmers had largely withdrawn from it, and had formed a strong union of their own, which had no fewer than 1,600 members at the present time. The farmers of Lincolnshire felt that Clause 5 was the principal clause in the Bill, because it not only gave compensation for disturbance but protected the farmer in other ways. There was one point not hitherto mentioned, and that was the impossibility some tenant farmers experienced in putting the Ground Game Act into operation. Though not in many cases, that would be equivalent to notice to a tenant to quit his holding.

MR. WALTER LONG: Give one single case where a man has been turned out.

*MR. WINFREY said he was familiar with a case in Norfolk where a tenant tried to get compensation for damage done by winged game.

SIR A. ACLAND-HOOD: What about ground game?

*MR. WINFREY said it was the same thing. This tenant tried to get compensation from the shooting tenant, but failed in his efforts, and shortly afterwards he was politely asked to leave.

MR. WALTER LONG: The tenant has certain rights under the Ground Game Act. The hon. Member says if the tenant exercises them he will be evicted. I asked him to give a single case and the only case he gives has nothing whatever to do with ground game.

*MR. WINFREY quite recognised that the case was one of winged game. He knew cases where farms had been sold over the heads of sitting tenants, in some cases after twenty years. He was familiar with one instance in particular where a man, a considerable farmer, had purchased three farms and had given the three sitting tenants twelve months notice to quit. Those tenants had been in occupation for many years, and they had to go out without a penny of compensation. Under this clause these men would have got compensation for disturbance. He regretted that the Amendments had reduced the value of the clause.

SIR ROBERT ROPNER (Stockton) was quite sure that if the words proposed by the Solicitor-General were accepted, the inevitable result would be disagreements between landlords and tenants, and if it was made impossible for the landlord to get rid of the tenant who had made himself disagreeable the result would be dual ownership. A landlord knew a good tenant when he got him, and would not get rid of him without good reason. It was complained that a farm might be sold over the head of a sitting tenant. He would ask where was the ownership of the landlord if he had no right to sell and to determine a tenancy? It would be a great pity if this clause passed, because it would create great difficulties between landlords and tenants.

MR. HICKS BEACH said it would have been a great advantage if the Government had made up their minds a little earlier as to the exact words they would put in the Bill and the words they wanted to leave out. He objected to the Amendment, because he was opposed to the principle of compensation for disturbance. It took away from the landlord that right of control over his property which he now possessed. The landlord would spend less money on his property and buildings, and that would be a serious disadvantage to the tenants as a whole. The hon. Member for S.W. Norfolk had told the Committee that he knew cases where tenants had been disturbed for asking to get the advantage of the Ground Game Act. He was challenged, but he was not able to adduce one single case. With the hon. Member's large knowledge of agriculture one would have thought he would have been able to produce one case if there was one. In ninety-nine cases out of 100 when permission was asked to shoot a few rabbits leave was given at once. With regard to the particular words that it was now sought to introduce into the clause, he thought they were very wide indeed, and that they would open a large doorway for the inroad of fraud. He most strongly objected to the Amendment in its present form.

MR. LANE-FOX said that before the hon. Member for S.W. Norfolk made the assertion that tenants had been evicted for seeking to take advantage of the Ground Game Act he should have been prepared with specific instances. When challenged, all the hon. Member could do was to mention the case of a man evicted for killing winged game, and that was in another county. The hon. Gentleman the Solicitor-General had said there was no question of dual ownership in the compensation to be given under this clause. He disagreed with the hon. and learned Gentleman. Hon. Members would admit that if the question of dual ownership was not clearly dealt with by the clause it was a thing they were justified in being afraid of. Whatever the Bill might do, this was a substantial beginning. There were several questions involved in this clause which made it a very much larger question than appeared at first sight. Anyone who had any cognisance of farm sales knew what uncertainty there was with regard to them. No one had raised the question of the uncertainty that might arise as to the distance which a tenant might wish to move. It was manifestly unfair that if he wished to move five miles the landlord should be compelled to pay compensation. Other considerations also arose. One farmer might have a large family and another a small one and another no family at all. These were all matters of accident and were due to no fault of the landlord, and it was manifestly unfair that he should have to pay compensation with regard to matters over which he had no control. The hon. Member for Sleaford, who professed to speak on behalf of the tenant farmers of Lincolnshire, had expressed views diametrically opposed to those of the hon. Member for S.W. Norfolk. He left it to the two hon. Members to settle the difference between them. He did not believe that this particular clause would do any good to tenant farmers. He thought when it was coupled with Clause 7, which would be discussed later, it would put the whole burden of carrying out improvements upon the tenants and take it out of the power of the landlord to carry them out, thus withdrawing from him the interest he had in the soil.

*MR. BERTRAM (Hertfordshire, Hitchin) drew attention to the words of this clause as now amended having a wider meaning than was necessary for the purpose they were designed to provide for.

The Solicitor-General, in his speech, had created the impression that everything undesirable in this clause was to be removed, and that it was only intended to apply to the case where a landlord got rid of a tenant for some reason of petty spite—religious or political. But the words would certainly include other cases. It was quite evident that the amended section would allow an arbitrator to find that a landlord had treated a tenant with such harshness as to make the section applicable, although no personal spite whatever had existed, and in such case the section was far too wide. The tenant was to be compensated for any expense he sustained in regard to a "sale" or removal of his goods. "Goods" had nothing to do with farming, and it was plain from the wording of the section that a man was to be compensated for loss in the removal of his household goods. The section should be limited to farm implements and stock. The word "goods" included a large number of things which ought not to be included. The word "sale" was put in in order that the tenant should be protected from the consequences of a forced sale, but the tenant had six months notice and in some cases a year's notice within which to make arrangements for a sale. The Solicitor-General also went a good deal further than the Minister for Agriculture. His desire and intention was that the farmer in a case of unreasonable eviction should receive the amount of the expense he incurred in moving from one holding to another. He hoped the Government would consider the desirability of, in some way, limiting the wording of the clause as amended.

MR. WALTER LONG said that after the manner in which one speaker after another on the Government's own side had criticised their proposal nobody could complain of the Opposition for debating the clause at by no means undue length. It embraced a new principle which many believed to be extremely dangerous. Never for the last thirty years, during which period he had frequently been responsible for legislation, had he seen such a spectacle as that which had been offered that night. He did not believe two men on the Ministerial side had the shadowiest idea of the meaning of the clause they were going to support in the lobby. He even doubted whether those on the Treasury bench could tell exactly what the clause was. What was the history of this clause? It was that certain Amendments of the Government were proposed and then withdrawn. Then it was found that certain things were left out which ought to have been left in. Later on they discovered that they had incorporated words which ought not to have been incorporated, and the House cheered when Ministers withdrew to the seclusion of that part of the House where strangers congregated and, after an interesting colloquy, returned with a fresh set of Amendments, because they had left undone those things which they ought to have done and had done those things which they ought not to have done. He challenged hon. Members opposite to lay their hands on their hearts and say that even now they knew what the clause meant. The hon. Member for S. W. Norfolk supported the clause on grounds which were inconsistent with the Ministerial statement of what was possible by way of compensation to the tenant under the Bill. A variety of interpretations had been put on the clause by lawyers on the Ministerial side, and the last speaker had said that the words under discussion went further than the Government meant to go. As he (Mr. Long) read the words he objected to them altogether as being too wide and too loose, and likely to be used to inflict the greatest possible injustice on the landowner. A farmer might claim for damage to a motor-car in going from one big farm to another. They were bound to regard the words with suspicion and to offer to them the strongest opposition.

*Mr. WHITBREAD (Huntingdonshire, Huntingdon) said he desired to support the Amendment before the House, and to call attention to what he believed to be a remarkable fact in connection with it. The words—

> "Loss sustained by a tenant by reason of tihis quitting his holding"

meant the loss or expense to which he might be put by reason of his removing. At an earlier stage his hon. friend the Member for Leith Burghs had referred to a speech made by the President of the Board of Agriculture at Edinburgh in an endeavour apparently to assuage the fears of his auditors. The Amendment to which the noble Lord the President of the Board of Agriculture referred, would, according to the noble Lord, confine the compensation payable to the actual costs of removal of the tenant. That was practically the Amendment now before the House. It appeared to be the missing Amendment. It would confine the amount of compensation within very narrow limits. He was bound to say that the words reported to have been used by the noble Lord were much simpler and more direct, but since they appeared to have been lost somewhere the Amendment now before the House was probably the best thing that memory could supply in their place. Therefore it seemed that the whole authority of the President of the Board of Agriculture was at the back of this Amendment, and he sincerely hoped that the House would carry it. The noble Lord in making use of the words to which he had referred clearly contemplated that the clause as drawn would require limiting and defining, for he went on to say—

> "This amount would be perfectly easy to ascertain, and there would, therefore, be no question of a large undefined liability or a costly and protracted law suit."

Those were just the fears which some of them had had in mind, and those fears were evidently present to the mind of the President of the Board of Agriculture too, for he went on to assure his hearers that an Amendment would be tabled which would definitely limit the range of compensation to be paid, in the way in which the Amendment now before the House proposed to limit it. As to the clause as a whole, he was bound to say that it appeared to him to open a large and doubtful and dangerous question. At the same time, he recognised that where cases occurred of a tenant being arbitrarily, capriciously, and unreasonably dispossessed of his holding, such tenant was morally entitled to the fullest compensation. That, he believed, was the underlying principle of the clause, and so long as the operation of the clause was confined, by Amendments such as that now before the House, to cases of that sort he gave it his fullest and most enthusiastic support. He did not share the opinion which had been expressed that such cases did not occur. That they were rare he hoped and believed, but they were not unknown. Only the other day——

*Mr. DEPUTY-SPEAKER: The hon. Member is now going into other parts of the clause.

*Mr. WHITBREAD said he would content himself by saying that the Amendments appeared to embody the principle laid down by the President of the Board of Agriculture and that they constituted a very wise limitation of the clause. He was glad that they had been put before the House by a Member of the Government, and he sincerely hoped that the House would adopt them.

Colonel KENYON-SLANEY said it might be interesting to the House to know that the words which the last speaker had quoted were used by the President of the Board of Agriculture on two occasions. There was therefore no question of the utterance being accidental or merely effusive. In *The Times* of 20th September he found these words in the report of the speech of the noble Lord—

> "The Amendments which had been put down would confine the compensation payable to the actual loss sustained by the tenant in moving from the farm."

Fourteen days afterwards when the noble Lord went to Scotland he made the same statement more elaborately. He therefore hoped that the contention that they had been putting an unfair construction on the words of the noble Lord would be given up. They had a right to expect that those words would be given effect to by those who were acting for the noble Lord.

MR. HUNT (Shropshire, Ludlow) asked the Solicitor-General how he thought the valuation of the stock was going to be made, and, whether he did not think the clause would cause an enormous amount of litigation. It was still a very one-sided affair. The tenant for any whim or caprice—perhaps because he did not like his landlord's looks—was to be able to get rid of his landlord, and he might perhaps terminate his tenancy by leaving the land in a very bad condition; but the landlord who owned the land and put up the buildings could not get rid of his tenant without paying what he supposed would amount to a very heavy fine. It seemed to him that hon. Gentlemen on the other side did not understand the agricultural position. They seemed to think that there was a great deal of friction between the ordinary tenant farmer and his landlord. That was not the case. The difficulty that occurred most frequently in connection with the land question arose out of the jealousy between the labourer and the tenant farmer. He would put an ordinary case. Suppose they had a tenant farmer farming 500 acres. That farm would probably have four cottages on it, let by the landlord to the farmer and his labourers. They were going to give this farmer the power either of staying on his holding or of compelling the landlord to pay him a very considerable sum for leaving. But what about the labourers who were working for the farmer? They were giving the farmer, who very likely might be better off than the landlord himself, an enormous advantage over his landlord under this Bill, but though hon. Gentlemen opposite pretended to be the friends of the working classes they were not doing one single thing for the cottagers.

*MR. DEPUTY-SPEAKER: That may be an important point to consider, but it is not in order now, and the hon. Member must confine himself to the Amendment.

MR. HUNT: I was only showing that the tenant farmer is the landlord of the cottages, and that if these cottagers had the same advantages——

*MR. DEPUTY-SPEAKER: I am quite aware of the hon. Member's argument, but it is not in order on this Amendment.

MR. HUNT hoped that hon. Gentlemen would understand what he meant. They were trying to help the big man without doing anything whatever for the little man.

MAJOR DUNNE (Walsall) intervened to say a few words from the point of view of a landowner who sat on the Ministerial side. The right hon. Member for South Dublin had challenged anyone on that side to get up and support the clause and the Amendment with which the House was now dealing. He could honestly say that the clause, especially with this Amendment, had his support as a landowner. In regard to the right hon.

Gentleman's second challenge—that someone would explain the clause—he thought it was plain English. It was only in very exceptional cases that the clause would operate at all, for he fully agreed that in most cases the relationship between landlord and tenant was such that it would not be necessary. But there was undoubtedly a suspicion lurking behind the minds of a great many tenant farmers that, if through some cause or other, a quarrel arose between farmer and landlord, the farmer ran the risk of being turned out capriciously. The plain meaning of the clause was that where such a thing happened the tenant farmer was to receive compensation.

MR. DEPUTY-SPEAKER: The hon. Member is dealing with other parts of the clause and not with the Amendment.

MAJOR DUNNE thought that where a man was capriciously evicted the very least the landlord could do for him was to give him full compensation for all the expenses he incurred in the removal from one farm to another. A great deal had been said about the loss that might arise from a forced sale of stock. But everybody knew that changes from one farm to another generally took place at certain periods of the year, and a month or two before the removal took place it would be well known that there was to be a sale of stock on the farm. No question of a forced sale at a few minutes notice could arise. From the point of view of a landowner he thought the clause and the Amendment were deserving of the hearty support of the House.

MR. A. J. BALFOUR thought that all who had listened to the debate would feel that, through no fault of the learned Gentleman in charge of the Bill, they were in a somewhat difficult position in not having the words of the Amendment before them. It would conduce to the reasonableness of the discussion if they could defer any further consideration of the words until to-morrow. Of course, that would make no difference whatever in the bargain struck between the two sides of the House as to the conclusion of this stage of the Bill to-morrow night. He understood that the Government were prepared to put down important Amendments on Clause 7 which might shorten the discussion of that clause, and he believed they would be able to get through the Bill by a reasonable hour to-morrow. He would therefore move the adjournment of the debate, if it was understood that the right hon. Gentleman (the Prime Minister) would afterwards move the adjournment of the House. He begged to move that the debate be now adjourned.

Motion made and Question proposed, "That the debate be now adjourned."

SIR H. CAMPBELL-BANNERMAN said he thought the proposal of the right hon. Gentleman reasonable. The words now under discussion were hastily patched together with a view to meet the general feeling of the House. It would be convenient to see them in print, and therefore he assented to the course suggested.

Question put, and agreed to.

Debate to be resumed To-morrow.

Whereupon Mr. DEPUTY-SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at twenty minutes before Eleven o'clock.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Wednesday, 14th November, 1906.

Several Lords took the Oath.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against—Of parents of children attending schools in the parishes of Christ Church (Waterloo), and Cowley; of inhabitants of parish of St. Thomas's, St. Helen's, Ryhope, Cowley (Gloucestershire) and Heapey; of Trustees of Church of England Schools in Diocese of Liverpool (49); and Trustee of Ryhope School, in Diocese of Durham; of Church Council of St. Stephen's, Sunderland read, and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions for Amendment of; of Ruridecanal Conference of Deanery of Wearmouth; and inhabitants of Diocese of Exeter; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

AUSTRALASIA.

Papers relative to the working of taxation of the unimproved value of land in New Zealand, New South Wales, and South Australia.

STATISTICS.

Statistical Abstract for the several British Colonies, Possessions, and Protectorates in each year from 1891 to 1905. Forty-third Number.

NATIONAL EDUCATION (IRELAND).

Appendix (Section II.) to the Annual Report of the Commissioners for the year 1905.

Presented (by Command), and ordered to lie on the Table.

POLICE ACT, 1890.

Correspondence relative to the refusal of the Secretary of State's certificate under Section 17 (2) of the Act to the River Tyne Police Force, for the year ended 29th September, 1905. Laid before the House (pursuant to Act), and ordered to lie on the Table.

THE MARSHALL ISLANDS.

*The Earl of JERSEY: My Lords, I rise to ask the Under-Secretary of State for Foreign Affairs if he is in a position to state what answer has been given by the German Government to the claim by Messrs. Burns, Philp & Co. for losses incurred in consequence of the Marshall Islands incidents. This matter was discussed in your Lordships' House some two years ago,† and I understand that His Majesty's Government did make last August an application to the German Government for a statement as to the grounds on which they had hitherto declined to pay. I should be glad to know if any reply has been received.

The UNDER-SECRETARY of STATE for FOREIGN AFFAIRS (Lord Fitzmaurice): My Lords, this matter has been the subject of communications with the German Government, but the final reply of the German Government with regard to these claims has not yet been received. His Majesty's Ambassador at Berlin has been instructed to recall the matter to their attention, and as soon as I hear anything definite I shall be glad to communicate it to the noble Earl. I can assure him that the matter has not been lost sight of.

BRITISH SETTLERS IN SOUTH AFRICA.

Lord LOVAT: My Lords, in accordance with the Notice in my name on the Paper, I beg to ask His Majesty's Government their intentions—(1) as to their policy in regard to land settlement in the Transvaal and Orange River Colonies; (2) as to the steps they are to take to safeguard the interests of British farmers and others who have recently taken up land under the Land Settlement Ordinances in these Colonies; and, further, to ask that the Report of the Ridgeway Commission, so far as it relates to land settlement, should be laid on the Table of the House; and to move for Papers.

---

† See (4) *Debates*, cxliv., 288 *et seq.*; cxlvi., 28–30; cxlix., 527–529.

I regret to say that I have to take up the time of your Lordships' House to ask a simple, but, I think, important question. Are His Majesty's Government to take steps to safeguard the British settlers in the Transvaal and Orange River Colonies, or are they to abandon them to the tender mercies of a probable Boer majority in the Transvaal, and a certain and overwhelming majority in the Orange River Colony? Before considering the case of the settlers in detail I would like to point out to your Lordships two outstanding facts—first, that of the settlers 75 per cent. fought for the Empire in the War and are men of small capital who have invested their all in South African lands; secondly, that they will be totally without representation in the Government of either Colony, there being no prospect of one single settler representative being returned for either place. I trust that His Majesty's Government will see fit to give a direct Answer to the Question that I have put on the Paper.

Six months ago, when this subject was brought before the House, we were told that the matter was still *sub judice.* The Ridgeway Commission has now gone, seen, and reported, and the time would appear to have arrived when a definite answer should be vouchsafed in view of the very acute anxiety which exists amongst all the two thousand settlers in South Africa about their future existence. I do not believe for one moment that His Majesty's Government are going to desert the settler or the policy of land settlement; and, if that is so, why not say so? His Majesty's Government cannot get away from their reponsibility and the responsibility of their predecessors for the placing of settlers on the land, settlers many of whom were placed by the actual British military authorities under a system of practically military land tenure, and who regard the land as actually given and guaranteed to them in return for services rendered. That this view is held by many soldiers and colonial settlers in the Colony can be proved by the Leeuw and Maroka District Petition, from which I should like to read the following:—

> "Fourthly, we consider we have a strong claim, amounting almost to a demand, on your future consideration. The farms were allotted to your settlers immediately after the cessation of hostilities. A clause in the Land Settlement Ordinance grants certain preferences to those persons who have done most public service. Is it not only reasonable for us to feel we gained our land partly as a reward for our services in time of need to the Empire? If we have any grounds for this belief, we should also be able with full confidence to rely on the support of this same Empire in case our future existence on these farms might be threatened through no fault of our own."

On the subject of responsibility I would further urge that this cannot be understood to end with the dumping down of soldier settlers in a colony. In all common fairness it must be accepted that before being left to their own devices such settlers so planted must be given a chance of success. That these settlers in South Africa have had a chance of success I must emphatically deny.

Now, my Lords, it is a curious fact that there appears to be a fatality attaching in initial stages to all planting of a foreign population on a new soil. Even in recent years the facts are still well known to all of us of the difficulties encountered by the Welsh settlers in Patagonia, the Algoa Bay Settlers in 1820, the Posen settlers of the last few decades, and the Scottish settlers in Canada, both recently and after the American War. There appears to be some fate, apart from hostility or the reverse of the indigene, which brings down on new settlers a series of climatic and other hardships beyond the experience of any former dwellers on the soil. In South Africa, not only have the settlers had three consecutive years of drought more severe than the oldest settler can remember, but the natural sequences of a war, increase of locusts (from lack of precautions taken) and cattle fever spread through the country from cut fences, have been more virulent than ever. In addition to these hardships the settlers have had to build their houses, kraals, fences, etc., *de novo.* Materials after the war have been at famine prices, and the failure of many successive crops has entirely depleted their resources. It is not exaggeration to say that, unless the friendly landlord in the shape of an Imperial landlord is guaranteed to the settlers for a period, many of the best will be ruined, and through no fault of their own.

It must be clearly understood that the men who are now holding on to the farms are a very different class of individual from those misfits and "sundowners" who were dumped on the land in 1902. Those who are left represent the very pick of our Colony's pioneers, men who have fought against every obstacle and who believe in the undoubtedly great agricultural possibilities of the country, given a fair chance to make their way in it. The question I am asking to-day is, Are you going to give these colonists a fair chance? They will get it if they are given an Imperial Land Board on the lines which His Majesty's Government have twice stated they are favourable to. Under Boer control, as certain as anything can be predicted, these men will fail.

Now, my Lords, on the attitude of the Boers, Boer leaders and Boer farmers, I must take up our time for a very few minutes. As a general fact it may be stated that when the Boer farmer has come into touch with the British settler the relations are most cordial. The English settler, by his methods of agriculture, his keenness for marketing possibilities, and his pushing methods, supplies a want to the Boer; whilst, on the other hand, the Boer, by his knowledge of stock, local advantages and difficulties, and cleverness in pastoral pursuits, is an equal help to the settler. This is not at all the case with the Boer leader. He is prejudiced against the settlement of any Britisher on the land on general and political grounds, and, unfortunately for the peace of the land, it is only the Boer leader in politics who counts. About the attitude of the Boer leaders I do not think it is necessary to quote at any length. Steyn says—

> "Boycott the English and guide your political action by the cries of the women and children done to death in the concentration camps."

Louis Botha, in a more suave manner, enunciates the same views. The utterances of General Beyers, a fine out-spoken gentleman in the North of the Transvaal, are too well known to be worth quoting here. The *Bloemfontein Friend*, the official organ of the Hartzog-Fischer leaders of Orangia, shows in no uncertain way the attitude of the leaders of Orangia to the settlement policy.

Now, the importance of the question is this. If the settlers are backed and practically made secure by a Land Board the vapourings of the hostile portion of Boer leaders is of no importance. If the settler is left to stand alone in his present weak financial position, the Boer leaders will see that he can be squeezed from the land, and on the first non-payment of rent, etc., squeezed he will be. That this process is easy one has only to look at British settlers in the Orange River Colony. I am sorry to have taken up so much time in developing these points, but I wish very clearly to bring out that there is a real danger to the settler, as shown by petitions and letters forwarded to the Ridgeway Commission and to private individuals. The solution is a very easy one, and, as I have said already, has been twice accepted by His Majesty's Government as desirable. I think the proposal that has been most often put forward to remove anxiety with regard to the settlers has been the institution of a Land Board, and His Majesty's Government are not disposed to deny that a Land Board may supply the best machinery for administering these Colonies, but they are obliged to attach conditions. It seems to them it would be entirely contrary to the general principle of responsible government that an arrangement of that kind should be carried out except by general consent.

I do not think it will be necessary to read to your Lordships some remarks I have here on Lord Elgin's statement on the subject, but I think that perhaps an extract from a letter by Lord Selborne may not be without interest to your Lordships. Lord Selborne published this letter, we understand, as a feeler for a move that His Majesty's Government proposed to make—

> "In respect of land settlement, His Majesty's Government feel that they have a special obligation to those who have become settlers during

> the period when they have been directly responsible for the government of the two Colonies, and it is a matter in which public opinion is the United Kingdom takes a deep interest. They would like, therefore, to see land settlement placed under a board appointed by themselves and altogether divorced from politics, and to that board they would like to see handed over the responsibility for all existing settlers, for the administration of all assets derived from the £2,500,000 of the guaranteed loan which has been devoted to land settlement, and for the expenditure of the further sum of £1,500,000 which His Majesty's Government suggest should be devoted to this purpose from the new loan."

If that is carried out everyone will be satisfied. You will then have a board with a sufficient sum to minister to the wants of the colonists on the ground.

What are the arguments against having an Imperial Land Board? There is the argument of interference. Is that a fair argument to put forward? We have interfered in the question of the labour on the Rand. Surely we ought to be able to interfere in the cause of our own people who are settled in the country. Then, on the question of precedence, I do not think that is very much of an argument. If you can show any instance of abandoning 2,000 settlers to their fate then we talk can about the question of precedent. In conclusion, might I venture to submit that if patriotism is still considered one of the civic virtues, we owe something to these settlers in a far off land? They are the people who fought for us for years in the war, who have struggled for years against a series of fortuitous chances outside their control. Is the question of the doubtful privilege of the British *status*, as pointed out by Lord Elgin in May, 1906, to be their only heritage? My Lords, in South Africa, since the date which Englishmen of all kinds look upon with shame, the *status* of a British subject is not a very definable asset. I cannot believe that His Majesty's Government are going to desert men for such a flimsy gift. Services have been rendered, help has been given; if help is taken away, is betrayal too strong a term? With the proposed Constitution imminent I have considered it my duty to bring this matter forward. I think the opportunity has arrived when a statement might be made that these settlers are not going to be abandoned, and the answer of the Government will show whether it is true, as is often said in South Africa, that it depends upon which Party is in power at home whether it is worth while to be a Britisher or not.

Moved, "That an humble address be presented to His Majesty for papers relating to land settlement in the Transvaal and Orange River Colonies."—(*Lord Lovat.*)

THE DUKE OF MARLBOROUGH: My Lords, may I be permitted quite briefly to emphasise one or two points which have been brought forward by my noble friend? My noble friend reminded the House that these settlers were some of the picked men who had been placed on the soil in the Transvaal and Orange River Colonies, but he forgot to remind your Lordships of the exact number. They number over 1,300, and they have been settled at a cost of £2,500,000 out of the £3,000,000 which has been allocated for that special purpose. That money was borrowed from the loan guaranteed by this country to the Transvaal on the promise made by leading citizens of the Colony that £30,000,000 would be paid to this country in the way of indemnity for the war. None of that money has yet been paid. Furthermore, I would like to remind your Lordships that the money which this country guaranteed to the Transvaal was lent at the rate of 3 per cent. instead of 4 per cent., and consequently the Transvaal saves in interest an amount equal to £350,000 a year. The interest on the £2,500,000 which has been expended in land settlement amounts to only £80,000 a year. Consequently if we deduct this £80,000 from the amount saved in interest—namely, £350,00 a year—we see that the Transvaal has gained a clear £270,000 a year by the co-operation and financial support which that Colony has received from the Imperial Government. I only mention this to show that the British taxpayer has an undoubted right on financial grounds to ascertain from His Majesty's Government whether these settlers are in future to be under the management of a board in sympathy with their aims and objects.

His Majesty's Government themselves stated during the earlier portion of the session that it would be wise to place these settlers under the administration of a Land Board supervised and controlled by the High Commissioner. The Under-Secretary of State for the Colonies in the other House commented in eloquent terms on the fact that these settlers had been placed on the soil. He said they formed a new and valuable element of the population introduced into the country which tended to mitigate the asperity of race distinction. The Colonial Secretary himself, in introducing the Transvaal Constitution last July, admitted that land settlement had proved favourable in the Orange River Colony. The leading men in South Africa—Dr. Jameson, Sir Hamilton Goold-Adams, and the High Commissioner himself, Lord Selborne—have in various speeches in that country intimated that in their opinion the wisest course would be to create a Land Board on the lines suggested by my noble friend. In addition, there is a consideration which certainly will appeal very much to noble Lords on this side of the House. The noble Viscount who sits on the Cross Benches (Viscount Milner) is, I believe, strongly of opinion that a Land Board should be created to administer and control the affairs of these settlers. We have, therefore, a general consensus of opinion among all those who are qualified to judge that the wisest course for His Majesty's Government to pursue would be to create a Land Board and place these settlers under its administration. Roughly, therefore, my argument is this, that financially we have a right to hear from His Majesty's Government that these settlers will be under a board in sympathy with their aims and objects. Since His Majesty's Government have themselves admitted that a Land Board would be the best machinery for ensuring the desired result, we sincerely trust that they intend abiding by that suggestion and will not recede from the position they took up in the summer months.

We should regret it if the noble Earl the Colonial Secretary were to try and prevent this House from comprehending what is really at the back of his mind in regard to this question. I have a feeling that he may say that during this month he is going to lay on the Table of your Lordships' House the terms of the Letters Patent, and that it will be time enough then for your Lordships to know what are the views of His Majesty's Government in this matter. But the whole point has been explained by my noble friend. Then it will be too late. We shall have no opportunity then of expressing our opinions in any strong or measured terms. The noble Earl would tell us that everything had been effected and the decision of His Majesty's Government already arrived at. With regard to precedent the noble Earl may claim that it is not altogether in harmony with the principles of self-government to ask that a certain portion of His Majesty's subjects should be placed under the direct contol of the Imperial Legislature, and not under the control of the local Legislature. Your Lordships will remember that about a year ago in this House a debate arose on the treatment and management of the aborigines in Western Australia. When Western Australia was granted self-government it was specially decided by the Colonial Secretary of the day that the management and control of the aborigines should not be placed under the local administration but should be retained under the Imperial Parliament. I do not wish to draw an analogy between the aborigines of Western Australia and the settlers now in the Transvaal and Orange River Colonies, but the point is the same. His Majesty's Government have always assured us that in this final settlement which they desired to effect they would approach the solution of it by giving equal opportunities to Boer and Briton alike. If you hand over these settlers to the control of the Colonial Legislature, then there is a certain risk that this land settlement, which, on the admission of the Government themselves, has borne good fruit, is likely to end in premature and melancholy breakdown. I sincerely hope that my noble friend will have no hesitation in dividing the House.

THE LORD PRIVY SEAL (The Marquess of RIPON): On what?

THE DUKE OF MARLBOROUGH: I hope he will divide the House should the reply of the noble Earl the Colonial Secretary prove unsatisfactory, so that we may definitely record our opinion that the Government's treatment of these settlers is not in harmony with the opinions they have themselves expressed.

*THE SECRETARY OF STATE FOR THE COLONIES (The Earl of ELGIN): My Lords, I do not wish to detain your Lordships at any length, nor do I think that what has been said makes it necessary for me to do so. But I would like to remind your Lordships shortly of the history of this question. The noble Lord brought forward the subject in March. I gather from the noble Lord that he did not consider then, and does not consider now, the reply I then gave as very satisfactory, though the noble Viscount on the Cross Bench (Lord Milner) described it as sympathetic.

After that we did not let the matter go to sleep. That was evidenced by the statement I made at the end of July in announcing the principles upon which we desired to frame the Constitution of the Transvaal. On that occasion I said it was the opinion of His Majesty's Government that a Land Board might afford the best machinery for dealing with this subject, but, I added, only on certain conditions. The noble Viscount no doubt challenged the particular qualification that this must depend on consents. But I do not think that otherwise he regarded my statement with any want of appreciation.

The noble Lord opposite referred to a letter which has appeared in the public prints written by Lord Selborne on this subject, and from the nature of the letter itself it will be obvious that it was written with the approval of His Majesty's Government. There again, surely, we did the best we could to endeavour to arrive at a conclusion as to what was the best thing for us to do in the circumstances of the case. In fact, all through we have been collecting, not only from the Report of the Commission which was sent out, but otherwise, information to enable us to determine the course which we think practicable, and which will meet the undoubted difficulties of the situation. But that is a point which the Government must determine, and it is only when they have determined, and are in a position to bring it formally before the House and the country, that I can give categorically the answer which the noble Lord asks me to make. This cannot be treated as a matter standing entirely by itself; it is on the face of it a part of the general scheme of the arrangements which have to be introduced into the new Colonies. In confirmation of that opinion I need only refer to two of the subjects which the noble Lord opposite mentioned. He said that he brought forward this question because, in the first place, as he was informed, the settlers would have no representative in the new legislative bodies, unless, indeed, he said, there was a provision for minority representation, which he believed there was not to be. Surely that shows that this question cannot be separated from the other political considerations which are involved in the whole case of the Constitution.

LORD LOVAT: I am sorry to interrupt the noble Earl. But have you not settled your principle of representation in the Transvaal?

*THE EARL OF ELGIN: I have nothing to add at the present moment to the statement I made in July; but I hope the day is not far distant when I shall be able to show the House and the country what it amounts to in concrete form. All I have to say at present is that that announcement will be made very shortly, and that the Government cannot separate this question from the rest of the scheme.

*THE EARL OF DURHAM: My Lords, I listened with interest to the speeches of the noble Lords opposite. I also very naturally listened with sympathy to the noble Earl's reply, because I believe he is animated by feelings as to Imperial and Colonial policy which are not very different from my own, and I think we inherited them from the same source. But I cannot understand why the noble Earl, or why His Majesty's Government, should show reluctance to make a plain statement of their intentions about these land settlers. Surely it is very necessary that on the eve of the granting of a new Constitution to these Colonies we should have a straightforward and consistent statement as to the Government's intentions towards these settlers.

My noble friend Lord Lovat has not asked the noble Earl to anticipate or disclose all the features of the new Constitution, but he has asked him to state plainly the intentions of His Majesty's Government towards these settlers. I can conceive nothing more calculated to remove misapprehension, to discourage unworthy ambitions, and to prepare South Africa for the impending Constitution than a straightforward statement that His Majesty's Government mean to protect and assist these settlers in the two Colonies, with due regard to economic considerations. There is nothing in such a statement which would be antagonistic to the principles of self-government. There is nothing novel in the Government enunciating its determination to promote the prosperity of a Colony; and, above all, there would be nothing in such a statement which could in any way cause legitimate umbrage to any one in South Africa who means loyally to fulfill his obligations to the Sovereign Power.

With those, whether British or Dutch, whose secret object it may be to undermine our authority and to wish to make use of this new self-government as a Party weapon, not as a universal boon, His Majesty's Government should feel little sympathy. With regard to these settlers, I am sure that the majority of Englishmen would rather see His Majesty's Government guilty of too lavish a generosity than of niggardly abandonment. They may not please all sections of the Liberal Party at home, but I think the Government would gain more than they would lose by a straightforward declaration which would remove the impression which undoubtedly exists in our Colonies that a Liberal Government is a danger to Imperial unity. His Majesty's Government have a splendid opportunity now of dispelling that impression, or, I will say, that illusion, by making it clear that a change of Government at home will make no change in our policy or sentiment towards our loyal fellow subjects throughout the world. The noble Earl has referred to the difficulties of the situation, but I do not think he has told us that there is no precedent. His first plea could be very easily answered by saying that to a strong Government difficulties should occur only to be overcome. As to precedent, I think the noble Earl should be very pleased that he is unhampered by precedent. How could there be a precedent in a situation which is unique in its circumstances? If His Majesty's Government establish a wise precedent they may afford useful guidance for the future in situations of a like character; but to refuse to make such a statement as that asked for, within a few days, it may be, of the issue of the terms of the new Constitution, is to leave us too much in the dark, and to treat us without sufficient consideration. The noble Lord opposite has not asked Lord Elgin to make any definite promise as to the specific allocation of any fixed sum of money; he has not asked him to announce a precise formula for the constitution of the board; but he does ask—and I associate myself with the request—that His Majesty's Government will undertake to safeguard the interests of the British settlers in South Africa, and that they will do so by the appointment of a board under Imperial control to promote, encourage, and financially assist the agricultural development of these Colonies by British settlers.

*VISCOUNT MILNER: My Lords, it was with extreme regret that I listened to the remarks of the noble Earl the Secretary of State for the Colonies. I do not think that he appreciates, or that the Government at all appreciate, the strength of the feeling which exists on this subject among all those who are interested in British South Africa, or the deep feeling which exists, and the still deeper feeling which, I believe, will exist, throughout the country when the danger to which these settlers are at present exposed becomes a realised fact. On the other hand, I am greatly encouraged by the speech which has been delivered by the noble Earl who has just sat down, who, I think, on this question voices a large amount of opinion on the part of the supporters of the

Government and of the population of the country generally.

I really deeply deplore the total inadequacy of the statement the Secretary for the Colonies has seen fit to make to-night. He referred to former expressions of sympathy of his with these settlers, which he said I had acknowledged. I fully acknowledge them. I have never had any doubt as to the sympathy of the noble Earl, but what we want is to see his sympathy converted into acts, and the last moment is approaching when that can be done. I realise as much as any one the extreme inconvenience to which your Lordships are put by this question having to be brought forward on the present occasion. I apologise for intruding at this time, but what I wish your Lordships to realise is that we are making this intrusion because it is a matter of practical and vital urgency. The provision of special protection for the settlers for which we are appealing must be made while the matter stands as it does at present, or it cannot be made at all. Let the Letters Patent issue without any reference to land settlement and the settlers will pass automatically under the control of the responsible Government which is to be set up. You may say that these Letters Patent are for the Transvaal, and that in the Transvaal, after all, British settlers will have advocates to stand up for them. It is true, I fully admit, that the risks in the Transvaal are less than in the Orange River Colony. But even in the Transvaal there are risks, owing to the fact that there is no provision for the representation of minorities. These settlers will have no direct representation in the Transvaal Parliament at all. But a point which is of far greater importance is this, that the position of the settlers, if it is precarious in the Transvaal, is more than precarious, it is a position of almost certain ruin, unless something is done for them, in the Orange River Colony. If these Letters Patent issue without any provision for their protection in the Transvaal, then I say it is a moral certainty that, when it comes to the Orange River Colony, the fact that nothing has been done for settlers in the Transvaal will be quoted as a precedent for leaving them in the lurch in the sister Colony. And so we are being drawn step by step down the slope which leads to the abyss of another disgraceful desertion of those who have served us in South Africa. This is my excuse for having intruded on your Lordships' time.

I do not think the historical retrospect in which the noble Earl has indulged makes his case any stronger. That retrospect, on the other hand, will show that we have exercised the extremest patience and the greatest possible desire not unduly to press or hurry the Government in this matter. And if I press them at all to-day it is simply because I feel that, having been the agent of the British Government in putting these people on to the land, and having induced them to put themselves in the position in which they are, I should be the basest of deserters if I did not do all that lies in my power to save them, while there is yet time.

Let me follow, as briefly as possible, the retrospect of the noble Earl. He said that on March 27th he expressed his sympathy with these settlers. I quite agree. He did make a very sympathetic speech, which filled me, at any rate, with considerable hope. But what was his reason then for not going more into detail about this matter—because it is to be observed that, although the noble Earl has several times expressed his sympathy, he has always given the vital question the go-by? On that occasion he said it would be premature to discuss the matter before we had the Report of the Commission which was going out to South Africa to study the question of the Constitution. The Commissioners have been home, how many months? Three or four. I should like to know, it is one of the things we want to know, what did the Commissioners tell the noble Earl and His Majesty's Government about the settlers? It would be a great satisfaction to us to hear that the Commissioners reported that they thought our anxiety was all moonshine and that the settlers in the Orange River Colony would be perfectly safe if they were handed over to the tender mercies of a Boer majority. Is the noble Earl prepared to tell us that the Report of the Commission has allayed all fears on this subject? I think we are entitled to know what the Report of the Commission is.

Then the noble Earl went on to refer to the next occasion on which this matter was brought up, in July. At that date he foreshadowed an attempt, which, as a matter of fact, was subsequently made by His Majesty's Government, to do something for the protection of these settlers. He said that his Majesty's Government were in favour generally of the principle of a Land Board, but that they expressed their approval subject to certain reservations, and one of these was that there must be general consent. It seemed to me, and I said so at the time, a most preposterous thing to admit that these people needed the protection of a special Land Board because they were not safe in the hands of the majority of the inhabitants of the Orange River Colony or of the Government responsible to that majority, and yet to appeal to that very majority to say whether they were to be protected or not.

You ask the people against whom they are to be protected, "Will you approve of our making special provision for their protection?" The thing is a perfect farce. And the truly farcical nature of it came out in the proceedings initiated by Lord Selborne, as the noble Earl said, on the instructions of His Majesty's Government, with regard to this matter. I should like to refer once more to the terms of Lord Selborne's letter, which was issued with the approval of the Government. It contains a remarkable admission—

"His Majesty's Government,"

it says,

"feel that they have a special obligation to those who have become settlers during the period when they have been directly responsible for the Government of the two Colonies, and it is a matter in which public opinion in the United Kingdom takes a deep interest. They would like, therefore, to see land settlement placed under a Board appointed by themselves and altogether divorced from politics, and to that Board they would like to see handed over the responsibility for all existing settlers."

That was the proposal which Lord Selborne was authorised to make to various representative people in these Colonies. But then this suggestion was coupled with a proposal to raise an additional £4,000,000, partly for the relief of the settlers, but partly for further compensation to the Boers and partly for some other objects, and in that form it seems to have met with no particular favour anywhere. I never expected that it would. I cannot conceive how the Government could have supposed, that, with elections just impending, with these Colonies about to be endowed with the supreme blessing of party government—that is to say, with the population marshalled into two brigades, each looking out with hawk-like keenness for some reproach to throw in the face of the other—I say I cannot conceive how anyone could have supposed that under these circumstances any party in the Transvaal or the Orange River Colony would make themselves responsible for an additional burden of £4,000,000 being placed on the shoulders of the Colonies in order to get His Majesty's Government out of a difficulty. It was, in my judgment, quite unreasonable to expect that any result would follow from that proposal. I do not comment on the absurdity of going cap in hand to the Boers and asking them whether they would like to pay another million and a half for British land settlement. Of course they would not like it. But then it was anticipated that the sop which was to be offered to them of another million and a quarter for compensation to themselves would induce them to swallow the pill. Really it is difficult not to smile at the simplicity of those who were seized with that idea. The Boers expect that they are going shortly to be in power. They know they will be in power in the Orange River Colony. Whether they will be in power in the Transvaal Colony or not, they are aware that any Government there will be more or less at their mercy. They look forward, as a matter of fact, to the time when they will be able to provide themselves with this million and a quarter, or any other sum which they may feel desirous of devoting to compensation to themselves, without the accompaniment of any disagreeable concession to the British settlers. The whole plan of saving these settlers by means of this appeal to the various parties in the Transvaal and the Orange River Colony was doomed to failure from the very first.

I wish briefly to sum up the position as it strikes me. Is it, or is it not, a right thing to continue to offer opportunities for British colonists whether coming from this country or from the other colonies, who, remember, are interested in this matter, too—is it, or is it not a right thing to keep the door open for them to settle in the new colonies which have come under the British flag by the exertions of this country and of those colonies also? If it is right to keep that door open, ought not His Majesty's Government to keep it open without asking anyone whether they are to be allowed to do so or not? But there is a stronger point even than that. Granted that the policy of land settlement was a mistake, that the policy ought to be abandoned, as I hope it will not be abandoned. Even so you cannot abandon the obligations you have already incurred under it, and surely it is strange for a British Government to go to any body of men anywhere and ask their consent to its fulfilling its own obligations of honour.

I have felt bound to speak strongly on this subject because I feel it is a vital and urgent matter. Let me say that I still have hope, a strong hope, and especially after the words we have heard from the Ministerial Benches, that His Majesty's Government may see fit to convert the sympathy which I have no doubt they, or some of them, feel, into action, and not only to do that, but to do it promptly, and let us know where we stand.

I plead, in the first instance, for a continuance of the policy of land settlement as a policy. Remember, it was not lightly adopted. It was adopted on the recommendation of a Royal Commission sent out expressly to study this question at the time of the war, who reported as follows—

> "Dealing with the question as a whole, we desire to express our firm conviction that a well-considered scheme of settlement in South Africa by men of British origin is of the most vital importance to the future prosperity of British South Africa. We find among those who wish to to see British rule in South Africa maintained and its influence for good extended but one opinion upon this subject. There even seems reason to fear lest the vast expenditure of blood and treasure which has marked the war should be absolutely wasted, unless some strenuous effort be made to establish in the country, at the close of the war, a thoroughly British population large enough to make a recurrence of division and disorder impossible."

It was that policy which was initiated, not by me as one noble Lord, I think, said—I was only the agent—but on the Report of the Royal Commission by the British Government, with, I believe, the full concurrence of the nation, for, whatever differences of opinion there may be on other questions, I have not yet heard that a policy of land settlement is disapproved of except by a few extremists.

Here then is this policy, adopted on the recommendation of a Royal Commission, instituted for the maintenance of our future power in South Africa, a policy the progress of which has been steadily satisfactory, and which has been continued to a stage at which we have gained experience and have learned, by such experience, how it may be carried on with greater advantage than it could be in the first necessary stage of experiment. Here, I say, is this policy in absolute jeopardy, and its future depends entirely on its being taken out of the hands of the new Government of the two colonies, and placed under independent management. The whole of our past efforts in that direction appear to my mind to be imperilled. But there is a higher obligation even than the maintenance of policy, and that is the obligation of honour. You may abandon that policy—though I should deeply regret it, and I know the nation would ultimately regret it—but you cannot abandon honour. After all the melancholy instances in South African history of vacillation on the part of this country and the desertion of those who have staked their lives and fortunes on the continuance of a particular course, you cannot, surely, add another and one of the most disgraceful pages to the dark annals of our chopping and changing in South African policy.

It is said, that, if you were to place the land settlement fund, the lands which have been bought with it, and the tenants on those lands, under the control of a

Viscount Milner.

special board appointed by the Imperial Government, it would be an interference with responsible government. I think that is an absolute misapprehension. We do not propose to interfere with the freedom of the Legislatures of the new colonies or to put any restriction upon the action of their executive governments. I should be the last to suggest such a thing. I say you cannot both grant responsible government and not grant it. You cannot say to these colonies, "Now you are free to manage your own affairs, but in this or that particular you must manage them in accordance with our wishes." But what is there inconsistent with responsible government in retaining certain lands in the new colonies under a British board responsible to the British Government? There would be no interference with the law of the colonies. These lands would be administered under the ordinary law. There would be no interference with the executive power. The executive power could do, as regards these settlers, exactly whatever it could do with regard to any other occupiers of land. But it seems to me that an immense protection would nevertheless be afforded to these settlers, and it is the only protection they ask for—the protection of a sympathetic landlord. That is their point. It is not that they want any privilege. They are at present the tenants of a body which is doing all it can to help them and to give reasonable consideration to their difficulties, and they want to continue the tenants of a sympathetic landlord.

Does anybody say it is an interference with responsible government for the British Government to own land in a British Colony? The Cape Colony has been under responsible government for thirty-four years, yet the British Admiralty is the owner of enormously valuable land in the Cape Colony, and the British War Office is the owner of valuable land in all the colonies of South Africa. Has it ever occurred to anybody to say that the ownership of land in a British Colony by the British Government, or by a board dependent on the British Government, is an interference with responsible government? It is a misunderstanding of our proposal to suppose that we desire any interference with responsible government at all.

I hope the House will pardon me if I refer to one more point, because I am certain that it will be brought up. It may be said, "That is all very well. But this particular land is land which has been bought with money which the colonies have borrowed, and on which the colonies are paying interest; and that makes all the difference." I fully admit that this is the case, but I say that it does not in the least alter the fact that the Imperial Government would be perfectly justified in keeping that money and land under its own control. After all, these £3,000,000 are the only money out of all the millions that we have spent upon South Africa in which the people of this country, and the people of the British Colonies who have helped us, have any direct interest whatever.

We gave a free grant of £3,000,000 under the Treaty of Vereeniging. Directly afterwards there was a further grant of £2,000,000 to the so-called "protected" burghers, and there was another grant of £2,000,000 for compensation to British and neutral subjects who had suffered during the war. That was a clear £7,000,000 out of the Imperial Exchequer. In addition to that, the whole of the £35,000,000 loan, out of which this £3,000,000 would, according to our proposal, be taken, has been guaranteed by the British Government. If it had not been for that guarantee, the two colonies could not have raised a penny of it. Whatever money they did raise would have cost them at least 4 per cent. The mere fact of our giving that guarantee has saved the colonies £350,000 a year in interest on that loan. Therefore, apart from the three grants, apart from our claim for many millions of war contribution from the Transvaal and our contingent claim on the Orange River Colony, if there had been no financial transaction at all except this guranteed loan of £35,000,000, we should still have afforded the colonies ample compensation for taking £3,000,000 out of that loan for Imperial purposes, which, moreover, are not purposes in which the colonies have no interest at all. If we took £3,000,000 to expend it in Great Britain, it would be a different matter; but we propose to take this £3,000,000, not to spend out of the colonies, but to spend in the colonies, and all we ask is that it should be kept under Imperial control. Indeed we are almost bound so to keep it owing to the fact that these £3,000,000 were allocated for land settlement in the new colonies in the Act of this Parliament confirming the guarantee of the loan, and it was one of the great inducements offered to this Parliament to give that guarantee at all. It would be a breach of that understanding, if we allowed any part of this money to be diverted from the purposes for which it was ear-marked in the Guaranteed Loan Act, and how can we ensure its not being diverted, if it passes under the control of the two new colonial Governments, one of which at any rate is bound to be hostile to the policy of settlement? For these reasons I hold that, although there are no doubt difficulties standing in the way of any arrangement which would give the settlers protection by placing them under the control of an Imperial board, those difficulties are by no means insuperable. In the interests of the great policy of land settlement, or, even if you reject that entirely, then at least in the interests of British honour, I beg to make this last fervent appeal to His Majesty's Government to save us from a discreditable solution of this question.

*Lord COURTNEY: My Lords, I had not understood that this subject would interrupt the continuance of the debate in Committee on the Education Bill, and I have not refreshed my memory with any re-perusal of letters and documents relative to the question, but I might perhaps be misjudged if I followed my own desire and remained silent in this discussion. Therefore I hope your Lordships will excuse me if for a few minutes I trespass upon your attention.

No one can be surprised that the noble Viscount has spoken with much feeling in this matter and has earnestly impressed on your Lordships what he desires. But I think it is well that we should distinguish between the two parts of the noble Viscount's appeal. There is one question relating to the few hundreds who are now in the Colonies, and there is another and very distinct question with reference to the maintenance of the policy of the continued introduction of new settlers into the new colonies. Much has been said as to what we should do with regard to the 1,300 settlers, and much might be allowed to the claims advanced on their part. But there is the strongest testimony that there is no wisdom, and no good policy, in maintaining the land policy which the noble Viscount was the agent in introducing, if he was not its inspirer.

I think the noble Viscount will find that in the judgment of the majority of this country—a majority which increases from day to day—his policy was an absolutely erroneous one, because it was based on the necessary division between the Boers and the British. And the policy which he is now advancing and earnestly recommending to His Majesty's Government is based on the same supposition that there is this racial hostility between the two races, and that it must be the part of this country to continue the introduction of a stream of settlers in order to counteract the preponderating influence of the Boers.

The noble Lord who initiated this discussion frankly said that no complaint was made as to the attitude of the mass of the Boers towards these settlers, and that there was perfect friendship between them.

Lord LOVAT: I said the Boers on the land.

*Lord COURTNEY: But the noble Lord said there was a distinction between the Boer leaders and the mass of the Boers, and we would find that the policy of the predominant partner in the new legislature would be expressed in the language of the leaders and not in the conduct of the majority of the Boers themselves. It would be a strange thing that you should find the mass of the people well contented and those who were elected by the mass of the people to represent them distinctly hostile. There is something that requires explanation in that apparent contradiction. It is a paradox on the face of it. The noble Lord did not quote what he considered to be the evidence in favour of the hostility of the

Boer leaders. He referred to a sentence of ex-President Steyn, which involved no kind of hostility towards the settlers or the English people. He said—

> "The people of the Orange River Colony could not forget, and must not forget, the sufferings which their mothers and sisters had undergone in the camps in which they were placed."

Is it conceivable that any man who has sympathies with other men, irrespective of difference of race, can quarrel with the retention of a memory of that kind and fasten upon it hostility towards the other race with which they are linked? If that is all that can be quoted from President Steyn's language it seems to me that it is insufficient for the conclusion which the noble Lord founded upon it; and I challenge him to quote anything which President Steyn has uttered since the establishment of peace which is inconsistent with the desire to promote the utmost goodwill between the British and the Boers in South Africa. Louis Botha was also mentioned by the noble Lord, but he did not quote anything from what Louis Botha said, and I think it would be difficult to make any quotations from General Botha reflecting on his friendliness towards the British. If Louis Botha has any fault it is that of having too much amiability.

LORD LOVAT: Would you like me to read the words of Louis Botha? I have them here. At a meeting on 7th April, 1906, he said—

> "We have already in many ways pointed out that we are against the land settlement policy of Lord Milner in this country."

*LORD COURTNEY: Where is there a word of hostility towards the British in that statement? I have in a few words indicated what I consider to be the error of the settlement policy of the noble Viscount, in that it maintains and continues a source of irritation, and the language of General Botha is a natural expression of that feeling. Botha, in effect, said, "You are not treating us fairly if you propose to continue to spend the money of this country in bringing in people to counteract the condition of things that may arise naturally." The other general referred to by the noble Lord who raised this question I give up at once. He is one of those individuals with swollen heads who occur in all communities, and he is a terror, I understand, to his friends. He is perfectly insignificant, and what he says is not paid any attention to by the mass of the Boers in the Transvaal and Orange River Colonies.

I do beg your Lordships to conceive what natural effect the maintenance of the policy for which the noble Viscount pleaded might produce in the two colonies. You have in the two colonies an enormous preponderance of Boers; and a section of your Lordships are proposing deliberately a policy which, instead of breeding goodwill, instead of leading the Boers and the British to forget their differences, actually brings one element against the other. The feeling in South Africa is, "Let us forget these contending elements and differences altogether." The desire is to forget the war and all that lay behind it. Boers and British say that they ought to live together and try to develop the community in peace together; but you cannot achieve that end if it is insisted that this policy of the noble Viscount, based on the conception that there is an enemy to guard against instead of friends to conciliate, is given effect to. By it your Lordships may produce what the noble Viscount produced, something which we may look back upon with mixed feelings, with feelings more terrible, perhaps, than in the case of that other retrospect to which the noble Viscount referred. The more that any Government adopts that as their policy in South Africa the more they are likely, almost certain, to produce another war; for the policy itself is founded on the principle that dissension must exist and must be maintained.

It is a totally different question about these 1,300 settlers. I am not much concerned about them. I do not mean that I am indifferent to their welfare. I am not much concerned about these things, because I regard the question as *une chose négligeable.* You cannot solve the South African question by a little infusion of settlers. The lessons of history have already shown that the task is not likely to be attended with success; and already your Lordships have been told that the body of settlers has dwindled from 2,000 to 1,300 through bad years

LORD LOVAT: I think the noble Lord is mistaken when he says that the 2,000 have dwindled to 1,300. The 1,300 actually hold land directly under the Ordinance, but there are many more who have settled down in the neighbourhood. There are probably altogether over 2,000.

*LORD COURTNEY: I am not much concerned with a few numbers up or down. I take it from the memorial of these 1,300 settlers that they admit that a certain number of their fellow settlers could not go on, and it is expressly acknowledged that the number of settlers has diminished. It is pleaded that they have had very bad years. My Lords, they will always have bad years. South Africa is not a good country for agriculture as far as my knowledge of it serves, and the reports of experts and skilled examiners show that it is not a good country in this aspect at all, and for the British settler it is a most unsatisfactory country. The Boer, on the other hand, by long generations, even centuries, of experience is now accustomed to the natural conditions and can live in a way in which the British settler cannot live, and in which, we are glad to think, he will not live. The British settler, therefore, disappears in the natural economic struggle before the Boer settler; and you may pour in your money to keep up this small band of settlers but the thing is perfectly negligeable.

I would be inclined to tell the Boers, supposing that I were consulted, "I hope that you will not concern yourselves very much to oppose any protection which the Home Government, on the recommendations of expert Commissions, have thought it desirable to interpose on behalf of those settlers that have been sent out." I am satisfied that they will gradually disappear, and that these men and women will probably sink into the population around them just as the settlers at different times in the history of the country have become more Boer than the Boers themselves. That has been the past history of the effect of colonisation in the Cape, where the children of the earlier settlers have been absorbed in the Dutch population and have become, perhaps, more Dutch than the Dutch themselves. The experiment is not a new one, and like many other experiments in many of our Colonies it is, I believe, foredoomed to failure. Its history has already shown how it has failed. You may, out of tenderness and consideration, help those who are there; you may even create a separate board to look after and protect their interest; but that board must be subject to the law of the Colony, leading to an agglomeration into one institution of the rights which the individuals will have themselves, and which they can exercise in order to protect themselves. I do not think they will get very much by it, but I do not reckon it to be of any great account one way or another. I leave it to His Majesty's Government, who are considering the problem, to pronounce upon it later. But with respect to the policy of the noble Viscount, reinforced by his speech, I am confident that, though I may be expressing the opinion of a small minority in this House—and I am not much concerned whether that is so or not—I am representing the growing opinion of the majority of my countrymen who, after all, govern this kingdom, in condemning it as being absolutely fatal to the establishment of good feeling among the community of South Africa.

*THE MARQUESS OF LANSDOWNE: My Lords, I imagine that your Lordships do not desire that this refreshing interlude in the discussion of the Education Bill should be too much prolonged, and I rise, therefore, to say a few words. I think many of us must be surprised that, after the eloquent speech of the noble Viscount, no noble Lord on the Front Bench opposite rose to respond to his challenge. We greatly regret that this discussion should have proceeded so far as it has done, and that those half dozen words which we desired so much to hear spoken should have been left unsaid. My noble friends did not seek to press the Government for a premature revelation of the Letters Patent. What they desire is to elicit from the Government in the simplest possible terms an assurance that this little Imperial outpost will not be left to its fate.

The reticence of His Majesty's Ministers has created profound uneasiness, and that, too, not only in this House. The Colonial Secretary has assured us, not for the first time, of his sympathy with these settlers. We do not for a moment question the sincerity of his feeling, but we should like to have something more substantial than sympathy. The noble Earl is not hostile to the cause represented by the settlers. I am not sure that I can say quite the same thing of the noble Lord who has just addressed us, for he has condemned the whole policy of land settlement as an erroneous policy. That policy was adopted deliberately, and on the recommendation of a Royal Commission. I believe it was adopted with the approval of the great majority of the people of this country, and it was adopted under financial arrangements which were of the most extraordinarily advantageous kind to the two Colonies.

I am one of those who had always hoped that in these great Colonial questions we should observe a continuity of policy which would survive in spite of changes of Government. I greatly regret that in this instance we are apparently—and that is the only inference we can draw—going to be confronted with a *volte face* on the part of our successors in office. The noble Lord who spoke last seems to think that this attempt to establish British settlers in these Colonies is inspired by a feeling of hostility to the Boer population. I deny it altogether. We have always desired that there should be found in these Colonies a mixed population, and we believe that there is room for a mixed population in South Africa. But how are you going to have a mixed population if you allow the British element to be eliminated, to be squeezed out?

The noble Lord referred to the disappointment of the expectations with which this great experiment was undertaken. There have, no doubt, been failures, but there is also no doubt about one thing, which is that these people have had to contend with extraordinary difficulties. They have had to establish themselves, to build up their homesteads, and to encounter no fewer than four consecutive years of drought. I must say that I heard with regret what I can only describe as the sneer with which the noble Lord opposite referred to the exceptional nature of their sufferings. He seemed to dispose of it in this way. You will always have bad seasons in South Africa if the existence of a bad season is to justify you in coming to the rescue of the farmers.

I do not think this experiment is one which should be lightly dropped because of initial difficulties. What these settlers ask for is that they should be treated considerately. I recall an analogy to their case—I mean the efforts made by Parliament to come to the assistance of those Irish tenants who at a particular moment were overburdened with arrears. In that case the most liberal terms were made to extricate them from their difficulties. Why not in this case also give the same assistance in the same practical form? There is only one way in which these people can be saved from the fate which is apparently impending over them, and that is that some special precautions should be taken, in the new arrangements made for the government of these Colonies, to safeguard the settlers from the ruin which may overtake them. That is the policy which, as we know, finds favour with Lord Selborne. It was put forward by Lord Selborne, as we had reason to believe, with the full concurrence of His Majesty's Government; and it is most regrettable that the Government have not had the courage of their opinions and have not insisted on making an arrangement of this kind a fundamental part of the new departure which we are approaching. It would be far easier and far less offensive to the two Colonies to deal with it in this way, to deal with it *ab initio*, than to find yourselves compelled later on to interfere on behalf of the settlers.

If the language which has been referred to to-night does indeed represent the views of the Boer leaders, then there will be fulfilled the anticipations which were made in a letter quoted last summer in this House by a British resident in the country, when he said the time would come when the British would have to "trek." If that should ever happen, if it should ever come to pass that owing to our desertion these men are driven from the homes they have occupied under our guidance and with our approval, then it seems to me that lasting discredit will be cast on the Government of the Empire.

THE MARQUESS OF RIPON: My Lords, it is not my intention to prolong this interlude unnecessarily, for I am well aware, as my noble friend has said, that the House must be anxious to get to the important Bill which stands behind. Although I may regret that this question should have been raised at this moment, I am not in the least inclined to make any complaint of the noble Lord or the noble Viscount on the cross benches for having brought the subject forward. I admit its importance and its interest, and I also acknowledge the sincere feeling which animates the noble Lords I have referred to with respect to this question. And I am not inclined to say that the discussion has been altogether without advantage to the Government. It is an advantage to the Government that they should have heard the views of noble Lords well qualified to speak upon this matter. But I must take exception to the right of the noble Marquess opposite to draw any conclusion as to our views from the speech made by my noble friend behind me (Lord Elgin).

The Government hold that this matter is closely mixed up with the question of the Letters Patent. Those Letters Patent will probably be issued very shortly. If when they are issued your Lordships think fit to object to the course we may take, your Lordships will know very well how to deal with his Majesty's Government on the subject. We have not much doubt about your willingness to make an attack, but we do not think that it would be for the public interest, or in accordance with our duty, that we should make any statement in regard to a matter which must be dealt with by the Letters Patent until we are prepared to lay them as a whole on the Table of the House. That is the reason why we abstain from going beyond what we have said to-night. But what has fallen from noble Lords will be carefully considered by the Government. Something was said in a rather fiery passage by the noble Duke about dividing. I do not know what it is proposed to divide upon. With regard to Papers, I believe my noble friend is inclined to lay Papers on the Table, but with reference to the Report of the Ridgeway Commission, that is a strictly confidential document, and we do not consider that it would be consistent with our duty to lay that Report on the Table.

LORD LOVAT: Before my Motion for Papers is put I should like to quote the Report on Land Settlement in reply to the statement of the noble Lord opposite (Lord Countney) that land settlement had been a failure in South Africa. The Report contains this passage—

> "The main fact remains that the majority of the men who were allotted land three years ago still occupy it and mean to remain; and when land does become vacant there are a number of suitable applicants for it."

With regard to Papers, I only desire to move for the portion of the Report of the Ridgeway Commission which appertains to land settlement.

On Question, Motion negatived.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to Order.)

[The EARL of ONSLOW in the Chair.]

The CHAIRMAN OF COMMITTEES: The Question is that sub-section (1), as amended, of Clause 8 stand part of the Clause.

THE LORD ARCHBISHOP OF CANTERBURY said he was disposed to think that the Amendment made in the sub-section on Monday night on the motion of Lord Cawdor would make it hard on the local authority in some few cases to manage the conduct of the schools satisfactorily. He therefore proposed on the Report Stage to propose words in qualification of that Amendment, so as to make it fairer to the local authority.

On Question, sub-section, as amended, agreed to.

LORD STANLEY OF ALDERLEY moved to amend the second sub-section of the clause by inserting after the first "shall" the words "be appointed without reference to religious creed or denomination, and shall." He thought the sub-section as it stood would leave it open to a local authority by private or underhand ways to make inquiries as to a teacher's religious persuasion before they appointed him. A similar Amendment had been put on the Paper in the House of Commons, but was not reached owing to the operation of the closure. He proposed to press it to a division in order to prove whether the professions of noble Lords opposite that the teachers should have freedom from tests were genuine and sincere. No doubt the great majority of public authorities would administer the sub-section as it stood equitably. He had not the slightest doubt that the largest local authority in England, which controlled the schools of London, would not go back from the very stringent regulation which was laid down during the great theological controversy some years ago, and which provided that—

"' the religious opinions of teachers are not to influence their selection, nomination, appointment, or promotion; nor are teachers and candidates for appointment as teachers to be subjected to any questions with reference to their religious belief or as to the possession or otherwise of certificates which might be taken as indicative of belonging to any particular denomination; nor are inquiries to be made into the religious beliefs of teachers."

That Resolution was passed by the unanimous consent of the London School Board and with the support of the denominationalists. He felt sure that the large majority of local authorities would act in the spirit of that Resolution. But the notices on the Paper of their Lordships' House indicated, so far from a desire to carry out in good faith the declaration that teachers should be exempt from all tests, a very strong desire again to set up tests in one form or another. The object of his Amendment was to make it clear that teachers should have complete freedom from tests.

Amendment moved—

"In page 7, line 3, after the word 'shall' to insert the words 'be appointed without reference to religious creed or denomination, and shall.'"—(*Lord Stanley of Alderley.*)

THE EARL OF CREWE: My Lords, I have received so much and such invaluable support from my noble friend behind me that it is a serious grief to me not to be able to accept his Amendment on this occasion; and if we do not do so it is not because we are less convinced than he is of the propriety and necessity of freeing teachers from religious tests. It is simply that we prefer the words which we have in the Bill. They have been very carefully considered, and, as I think I can show your Lordships, carry out as fully as can be carried out by any words in an Act of Parliament the object which I believe we all have at heart. My noble friend said that he had extracted his words from Clause 7 of the Education Bill of 1902. There it is stated that assistant teachers and pupil teachers may be appointed, if thought fit, without reference to religious creed or denomination. I have always taken that to mean that in voluntary schools under trusts teachers not of the denomination to which the school belonged might be appointed, and that might involve a distinct inquiry as to what their opinions were. I am afraid my noble friend's analogy is, therefore, not a complete one.

What my noble friend says is that teachers shall be appointed without reference to religious creed or denomination, and he quoted the very striking and powerful Resolution on the subject adopted by the late School Board for London. It is one thing for a body to lay down a certain ordinance of conduct for itself and quite another matter for a central body such as Parliament to say that all similar bodies must act in the same way. For instance, it would be quite possible, and we should all applaud the act, if a political association in a constituency announced that it was always going to choose its candidates for Parliament without reference to their social position or their balance at the bank; but if you were to attempt to lay down from any central authority that all candidates must be appointed without reference to their social *status* or their wealth you would be doing something which it is obviously impossible for a central body to do. What my noble friend is trying to say is that certain people must not be influenced in the appointment of a teacher by certain moral considerations.

LORD STANLEY OF ALDERLEY: There is nothing moral in it that I know of; it is theological.

THE EARL OF CREWE: It is of the nature of a moral consideration. In other words, my noble friend asks that poeple should be told to dismiss from their minds certain matters should they come to their knowledge. That, it appears to me, is a totally impossible thing for an Act of Parliament to do. Therefore, my noble friend, in his great anxiety to save all teachers from tests, is imposing on local authorities a test of an absolutely impossible character. Supposing that in applying for an appointment in a school a teacher happens to state what his religion is. What is to be the attitude of the authority in that case? It is no good telling them that they are bound to dismiss it from their minds. If they are sensible people they would, I should hope, in the majority of cases, dismiss it from their minds; but to tell them by Act of Parliament that they must do so is to ask something which is impossible. On the general question, of course, I am in entire agreement with my noble friend, but when it comes to inserting his words I am bound to point out that it is not to my mind the character of injunction which ought to be imposed on anybody by Act of Parliament.

*LORD BALFOUR OF BURLEIGH said he was glad the noble Earl had refused the Amendment. So far as entering the profession was concerned, he quite agreed the teacher should not be subjected to religious tests. He desired to know whether the Amendment meant that a county authority which was in favour of giving religious instruction which included the Apostles' Creed was to be precluded in appointing a teacher from asking him whether he conscientiously believed those doctrines. He agreed that the teaching which was permissible under the Cowper-Temple clause might be, and often was, most excellent in its character, but he submitted that the excellence of it was entirely dependent on whether the teacher who gave it honestly believed what he was teaching.

LORD STANLEY OF ALDERLEY thought the question which the noble Lord had raised would be best discussed on the Amendment to be moved by the most rev. Primate. The Bill as presented by the Government gave absolute freedom to every teacher to give, or not to give, religious teaching. The religious teaching was as much outside his obligation to the persons employing him as playing the organ on Sunday or teaching in the Sunday school. And, just as all extraneous duties were prohibited by law from being made part of the contract, he submitted that it would not be competent for the local authority to bargain with a teacher on appointing him that he should give certain religious instruction.

THE LORD BISHOP OF SALISBURY said it was quite probable that in some schools all the teachers would refuse to give any religious teaching. In that case, how would the teaching be given?

*THE LORD BISHOP OF HEREFORD thought the Amendment, so far from securing the object of the noble Lord, would tend to some of the evils he deprecated. The noble Lord had said that they ought to do all they could to secure that when appointments were made the body making the appointments did not adopt an underhand way of finding out the theological views of the applicants. He ventured to think that the insertion of the words in the Amendment would be the most likely of all methods to lead to that result. His own feeling was that in many cases the teacher did require some protection in this matter, and he ventured to think that a natural protection to give, if it could be given anywhere in the Bill, was to say simply and in the plainest possible language that it should be the duty of all those who appoint teachers to have regard only to their obligatory duties. His belief was that in practice that would cover the whole case and go quite as far as it was possible to go in an Act of Parliament.

THE EARL OF CREWE: There is apparently a good deal of confusion as to what is intended by the phrase "no tests for teachers," and perhaps it will be just as well if, in answering the right rev. Prelate, the Bishop of Salisbury, I just state what the actual circumstances will be in the case of a council school. In the case of a council school the teacher appointed will be asked no question in the nature of a test as to his religious opinions, or whether he is prepared to give religious teaching. Whether he can or cannot will have nothing to do with his appointment. After he is appointed, if he is told off to perform this particular duty, he will be asked whether he is willing to do so, and if he expresses his unwillingness to give the teaching he will certainly not be compelled to give it, and the local authority will have to find somebody else. In the case suggested by the right rev. Prelate the local authority would go through the various teachers in the school until they came to somebody who was willing to give it. In the event of their finding no such teacher—and I think that is a most improbable suggestion, looking to the experience in the past in board schools—they would have to obtain someone from outside to give it, supposing they wished it to be given.

On that I should like to correct, on behalf of my hon. friend Mr. Lough, a misapprehension which arose in the course of a debate on this matter in another place. Mr. Lough was put a long series of questions, to which he was invited to reply at very short notice. When my hon. friend said that the local authority, if the teacher refused to fulfil his contract and give religious teaching, would get rid of him and get another, he was referring, not to the regular teacher, but to someone from outside who had been engaged to give religious teaching, and who was not one of the teachers in the sense in which the word is habitually used. Undoubtedly if in that case, after giving the teaching for some time, a person who volunteered to come in and give the teaching changed his religious belief, or, for some reason or another, was unable to give it, the local authority would have to get somebody else, supposing they wished the teaching to be given. It must, of course, be clearly understood that, in the sense in which the word "teacher" is habitually used, that person would not be a teacher at all. He would have been called in for this particular religious purpose, and, consequently, the fact that his services were terminated on his becoming unwilling to give the teaching would be quite irrelevant as regards the question of tests for teachers. My right hon. friend Mr. Birrell also gave an explanation of what would occur. He said—

> "The local education authority might perfectly well and safely be left to exercise its own discretion in the matter of the duties which it would impose on its own teachers. These teachers might protect themselves from any conscientious burden by refusing to give the religious teaching, in which case the local authority would have to find somebody else."

That is to say, to find somebody else to give the teaching, but not to find somebody else as school teacher. That, I imagine, would not be misunderstood. I think I have answered the right rev. Prelate's Question, and I have nothing to add at this stage.

LORD BALFOUR OF BURLEIGH said the Answer given in the House of Commons as now explained was no Answer to the Question asked. That Question was this—supposing they had three teachers in the school, two of whom refused and one undertook to give the teaching and subsequently declined to give it, what was to be done then? He was referring to the case of a regular teacher.

THE EARL OF CREWE: He certainly would not lose his appointment as a teacher. He would be put to some other work and another person would be brought in to give the teaching.

THE MARQUESS OF LONDONDERRY asked who the person to be brought in was who was to fulfil the contract that the outgoing teacher had refused to perform. He had listened with considerable surprise to the noble Earl's explanation of the Answer given in the other House by the Parliamentary Secretary. He had never imagined that that construction could have been put on the Answer. It was not possible to get men at a moment's notice to give this instruction, and he was still in the dark as to who the person was who was to be brought in.

The Earl of CREWE: It is obvious, in view of the explanation of my hon. friend the Parliamentary Secretary to the Board of Education, that the contract he was referring to was not what we know as the teachers' contract, but the agreement made between the local authority and the person who volunteered to give this particular teaching.

The Marquess of LONDONDERRY said he should like to know how they could differentiate between the teacher who had been appointed and the person who was proposed to be called in. This was another of the inconsistencies between the speeches of Ministers and the clauses in the Bill.

The LORD BISHOP of St. DAVID'S thought the necessity of bringing in outside teachers to secure the efficiency of Cowper-Temple teaching in council schools might be more frequent than the noble Earl seemed to think, and he should like to know how that teaching was to be given by a smaller number of teachers than those engaged in secular instruction. By the sub-section as it stood His Majesty's Government, in order to abolish tests, restricted popular control and absolutely prohibited the local authority from freedom of contract. He was sincerely anxious that Cowper-Temple teaching when given should be efficiently given, and one of the chief objections he had to the present Bill was that His Majesty's Government with all the most sincere intentions to make the teaching efficient, had not succeeded in embodying their good intentions in the Bill. He had been very much impressed by the patience and courtesy with which Lord Crewe had answered the many questions put to him, and he hoped he might be pardoned for having called attention to what he considered a practical difficulty in the Bill as it stood.

***Lord AVEBURY** pointed out that simple Bible teaching was to be given in all schools, but if the applicant was not to be asked whether he would be willing to give such teaching the local authority might find that they had to appoint a second person and even a third. He did not understand how the appointments could be made unless it were permissible to ask the candidate whether or not he would be willing, if appointed, to give that teaching.

The Earl of CREWE: The noble Lord who has just sat down said he did not think it would be unfair and unreasonable to ask a teacher before he was appointed whether he was prepared to give ordinary religious instruction under Clause 14. The reasonableness of that may be a matter of opinion, but there can be no doubt as to its constituting a direct and distinct test. It is pretty obvious that a man who had no particular religious belief, and was honest enough to say so, would not get the appointment in many cases, and if that is not a test I do not know what is. I must remind the noble Lord that in taking this point I am obliged to argue it in relation to the Bill as introduced. Various Amendments have been inserted, which in my opinion, practically institute tests for teachers, but the defence of our clause as it appears on the Paper can only be properly made by taking it in connection with the Bill as introduced. The right rev. Prelate, for whose kind expressions about myself I am indeed most grateful, seemed to indicate that the possibility of all the teachers in a council school refusing to give simple Bible teaching, or whatever you like to call it, would frequently occur.

The LORD BISHOP of St. DAVID'S: I did not say all the teachers. My point is that you cannot give religious teaching by a smaller number of teachers than those engaged in secular instruction.

The Earl of CREWE: My impression is that the number of teachers who would have a conscientious objection to giving the ordinary syllabus teaching as given in the council schools would be exceedingly small. We are asked, Why not grant all-round facilities? We feel that if all-round facilities were introduced and properly worked it would mean that five or six different kinds of religion might be given at the same time. There is no comparison between that state of things and allowing one person to be brought in to give this simple religious teaching.

LORD AVEBURY asked how they could bring in outsiders to give simple religious teaching without asking whether they were willing to give that teaching.

THE EARL OF CREWE: These people, not being regular teachers, would not come under the question of tests at all.

THE MARQUESS OF LONDONDERRY: But who will they be?

THE EARL OF CREWE: They might be anybody; possibly the clergymen.

THE MARQUESS OF LONDONDERRY: But the clergyman would not be able to give instruction to the whole school.

THE EARL OF CREWE: It seems to me that it would be a strange state of things in this Christian country if people cannot be found, in these very rare instances, to assist in giving this simple religious teaching in the council schools.

THE LORD BISHOP OF ST. DAVID'S: Would the outsider in that case not be a teacher?

THE EARL OF CREWE: No. Perhaps I can put the matter more clearly by reminding noble Lords of that kind of religious teaching which we intend to be given. During what is known as the "religious hour" in the council schools Cowper-Temple teaching might, and in a good many cases would, be given. In other schools Cowper-Temple teaching would probably be given on three days a week and facilities teaching on two days. The only effect of this rare case of having to introduce outside assistance would be to approximate the Cowper-Temple teaching to the facilities teaching which we intend to be given in Clause 2 schools. I do not mean approximate in its nature but in the fact that it would be given by an outsider. The point, it seems to me, is exceedingly simple, and I honestly do not think it deserves the weight laid upon it by the right rev. Prelate, because these cases will occur very seldom indeed. After all, there is no reason why the teachers should object to give Cowper-Temple teaching under this Bill any more than they do in the present state of things. Those who object will, as I say, be unbelievers of a very pronounced type who think it wrong to give the teaching. There may be instances of such teachers, but there is no reason to imagine that they would be in any way multiplied under this Bill.

LORD STANLEY OF ALDERLEY appealed to their Lordships to have regard to the Amendments on the Paper, and to bear in mind that Lord Bristol's Amendment, as well as that of the Archbishop of Canterbury, dealt with many of the points that had been raised on this Amendment.

THE MARQUESS OF RIPON: My Lords, I really must add my appeal to that of my noble friend behind me. There is a great deal of irregularity in the proceedings as they are conducted at the present moment. I am sure your Lordships do not desire it, but from time to time the real question before the Committee is forgotten, and, if I do not take too much upon myself, I would venture to suggest that the point under discussion should be borne a little more in mind. I must say that I do think it very inconvenient for noble Lords to interpose questions in the middle of a speech, especially as we are in Committee and noble Lords are not confined to one speech on any particular matter.

*THE MARQUESS OF LANSDOWNE: With reference to what has been said by the noble Marquess the Leader of the House, I think it probably would be more convenient that the sense of the Committee should be taken at once on Lord Stanley of Alderley's Amendment. That will not preclude us from following up the interesting points which have been raised when we come to the Amendments dealing with them.

On Question, "That these words be here inserted," their Lordships divided:—Contents, 10; Not contents, 191.

CONTENTS.

Russell, E. [*Teller.*]

Coleridge, L.
Courtney of Penwith, L.
Eversley, L.
Farrer, L.
Grimthorpe, L.
Monk Bretton, L.
Rendel, L.
Stanley of Alderley, L. [*Teller.*
Weardale, L.

NOT-CONTENTS.

Canterbury, L. Abp.

Crewe, E. (*L. President.*)

Ripon, M. (*L. Privy Seal.*)

Norfolk, D. (*E. Marshal.*)
Bedford, D.
Grafton, D.
Manchester, D.
Newcastle, D.
Northumberland, D.
Richmond and Gordon, D.

Ailesbury, M.
Bath, M.
Bute, M.
Camden, M.
Hertford, M.
Lansdowne, M.
Northampton, M.
Salisbury, M.
Winchester, M.

Abingdon, E.
Albemarle, E.
Ashburnham, E.
Beauchamp, E.
Brownlow, E.
Camperdown, E.
Carnwath, E.
Carrington, E.
Cathcart, E.
Cawdor, E.
Chesterfield, E.
Chichester, E.
Clarendon, E.
Craven, E.
Dartmouth, E.
Dartrey, E.
Denbigh, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Egerton, E.
Feversham, E.
Gainsborough, E.
Guilford, E.
Haddington, E.
Hardwicke, E.
Harrowby, E.
Jersey, E.
Kilmorey, E.
Lichfield, E.
Lindsey, E.
Londesborough, E.
Lytton, E.
Morton, E.
Nelson, E.
Northbrook, E.
Onslow, E.
Pembroke and Montgomery, E.
Plymouth, E.
Portsmouth, E.
Radnor, E.
Scarbrough, E.
Shaftesbury, E.
Stamford, E.
Temple, E.
Vane, E. (*M. Londonderry.*)
Verulam, E.
Waldegrave, E. [*Teller.*]
Wharncliffe, E.
Yarborough, E.

Churchill, V. [*Teller.*]
Colville of Culross, V.
Cross, V.
Falkland, V.
Goschen, V.
Halifax, V.
Hill, V.
Hutchinson, V. (*E. Donoughmore.*)
Knutsford, V.
Llandaff, V.
Ridley, V.
St. Aldwyn, V.

Bangor, L. Bp.
Chichester, L. Bp.
Exeter, L. Bp.
Hereford, L. Bp.
Lincoln, L. Bp.
London, L. Bp.
Oxford, L. Bp.
St. Asaph, L. Bp.
St. David's, L. Bp.
Salisbury, L. Bp.
Southwark, L. Bp.
Winchester, L. Bp.
Abinger, L.
Addington, L.
Alverstone, L.
Ampthill, L.
Ardilaun, L.
Armstrong, L.
Ashbourne, L.
Ashcombe, L.
Atkinson, L.
Avebury, L.
Balfour, L.
Barnard, L.
Belhaven and Stenton, L.
Belper, L.
Blythswood, L.
Borthwick, L.
Boston, L.
Brancepeth, L. (*V. Boyne.*)
Brassey, L.
Braye, L.
Calthorpe, L.
Carysfort, L. (*E. Carysfort.*)
Castletown, L.
Chaworth, L. (*E. Meath.*)
Clements, L. (*E. Leitrim.*)
Clifford of Chudleigh, L.
Clinton, L.
Colchester, L.
Crawshaw, L.
Dawnay, L. (*V. Downe.*)
de Ros, L.
Denman, L.
Digby, L.
Dormer, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Ellenborough, L.
Emly, L.
Estcourt, L.
Faber, L.
Fermanagh, L. (*E. Erne.*)
Fingall, L. (*E. Fingall.*)
Fitzmaurice, L.
Gage, L. (*V. Gage.*)
Gerard, L.
Glantawe, L.
Harris, L.
Hatherton, L.
Haversham, L.
Hemphill, L.
Howard of Glossop, L.
Hylton, L.
Kelvin, L.
Kenmare, L. (*E. Kenmare.*)
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Kenyon, L.
Kinnaird, L.
Knaresborough, L
Lawrence, L.
Leith of Fyvie, L.
Lovat, L.
Lyveden, L.
Macnaghten, L.
Manners, L.
Meldrum, L. (*M. Huntly.*)
Methuen, L.
Mostyn, L.
Muncaster, L.
Newton, L.
North, L.
O'Hagan, L.
Ormathwaite, L.
Pirrie, L.
Poltimore, L.

Ponsonby, L. (*E. Bessborough.*)
Ranfurly, L. (*E. Ranfurly.*)
Rathmore, L.
Ravensworth, L.
Reay, L.
Revelstoke, L.
Ribblesdale, L.
Ritchie of Dundee, L.
Robertson, L.
Sanderson, L.
Sandhurst, L.
Sandys, L.
Saye and Sele, L.
Seaton, L.
Shute L. (*V. Barrington.*)
Shuttleworth, L.
Sinclair, L.
Somerhill, L. (*M. Clanricarde*)
Stalbridge, L.
Stewart of Garlies, L. *E. Galloway.*)
Stratheden and Campbell, L.
Tweedmouth, L.
Wandsworth, L.
Welby, L.
Wolverton, L.
Zouche of Haryngworth, L.

LORD HYLTON, in the absence of the Marquess of Bristol, who had the following Amendment on the Paper—

> "In page 7, line 4, to leave out 'as part of his duties as teacher' and after 'any' to insert 'denominational,'"

said he had been asked to move the noble Marquess's Amendment; but, after the debate that had taken place and the sentiment that had been expressed that the Amendment would involve to a certain extent the imposition of a test, he did not think the noble Marquess would wish to proceed with it. He therefore would not move it.

THE LORD BISHOP OF ST. ASAPH moved to amend the sub-section so that it would read as follows—

> "A teacher employed in a public elementary school shall not be required to give or to abstain from giving any religious instruction, etc."

The effect of this Amendment would be to give the teacher perfect freedom and independence.

Amendment moved—

> "In sub-section 2, to leave out the words "as part of his duties as teacher to' and to insert the words 'to give or to abstain from giving."—(*The Lord Bishop of St. Asaph.*)

LORD STANLEY OF ALDERLEY questioned whether the right rev. Prelate's object had not been met by the Amendment which had been inserted on the motion of Lord Cawdor, in which appeared the words "shall be permitted."

THE LORD BISHOP OF ST. ASAPH said his object was rather that they should give freedom to the teacher than impose restrictions on the local education authority.

THE EARL OF CREWE: It is obvious, of course, that we cannot agree to this Amendment, the practical effect of which is to give the facilities teaching in all transferred schools. That is no doubt the object. As the Committee are aware, we have already stated our reasons for not permitting the teacher to give the teaching in the ordinary facilities schools. There is no need for me to repeat those arguments. If the right rev. Prelate presses his Amendment to a Division we shall be compelled to vote against him.

Amendment, by leave, withdrawn.

VISCOUNT LLANDAFF moved an Amendment providing that a teacher might give religious instruction "if he is willing to do so." He asked whether, supposing a teacher said he was willing to give religious instruction, he was to be debarred from making a bargain to give it. If so, that was another example of the great spirit of liberality in which His Majesty's Government had approached this matter; and if that additional disability was intended to be imposed on teachers he would be glad to know what defence could be made for it.

Amendment moved—

> "In page 7, line 5, after the word 'instruction,' to insert the words 'but he may give such instruction if he is willing to do so."—(*Viscount Llandaff.*)

LORD STANLEY OF ALDERLEY said the Amendment was unnecessary having regard to the changes already made in sub-section (1) of Clause 8, where a positive affirmation had been substituted that the teacher should be permitted to give the special instruction. Where the local education authority wished the teacher to give the instruction and the teacher was willing to do so he was at liberty to give it.

THE EARL OF CREWE: My noble friend behind me is perfectly right. If the Bill had remained as we introduced it the words of the noble Viscount would have effected an addition by allowing the teacher to give facilities teaching as well as Cowper-Temple teaching, but that has already been done by the Amendment to the sub-section moved by the noble Earl opposite, Lord Cawdor. That sub-section now reads—

> "A teacher employed in a public elementary school shall be permitted by the local education authority to give any religious instruction of a special character not permitted under Section 14 of the Elementary Education Act, 1870'"

and so on. So far as council schools are concerned, where only Cowper-Temple teaching is given, there is no doubt whatever about teachers being allowed to give that instruction.

THE MARQUESS OF SALISBURY thought the words in the noble Viscount's Amendment were necessary. They had enacted that the teacher might be permitted to give the special instruction, and unless they said that the teacher might also give the general instruction the question might be raised hereafter whether the only instruction which the teacher was not allowed to give was instruction under the Cowper-Temple Clause.

THE EARL OF CREWE: I have no opinion of my own on that point, and, although I do not think the words are necessary, I shall not object to their insertion if the noble Viscount persists.

VISCOUNT LLANDAFF thought the words were necessary even in the present state of the Bill. Moreover, they were not sure that the present state of the Bill would be its permanent state.

On Question, Amendment agreed to.

LORD BELPER moved to insert in the sub-section after "instruction" the following words—

> "If he at the time of his appointment (or in the case of an existing teacher before the first day of January, one thousand nine hundred and eight) shall have expressed in writing to the local education authority his conscientious objection to give such religious instruction."

He pointed out that the clause as it stood might easily place the authorities in a most difficult position, because it was open to the teacher at any moment to refuse to give the religious instruction. He did not wish to impute that a teacher would take any unfair advantage, but if it was not part of his duty to give the religious instruction he might turn round any morning and refuse to give it, especially if he had had a little difference with the managers or the local education authority. He further pointed out that the clause as it stood would place a most powerful weapon in the hands of the National Union of Teachers; if there was any reason for it, they might send round word to their teachers in a particular district ordering them to withdraw from the religious teaching, and dislocate the whole arrangements for such teaching. If there was the least idea that his Amendment was for the purpose of getting in any question of tests, he would alter the first words to read, "If he, as soon as possible after his appointment." This would make it quite clear that the teacher should not be asked the question on his appointment.

Amendment moved—

> "In page 7, line 5, after the word 'instruction,' to insert the words "if he at the time of his appointment (or in the case of an existing teacher before the first day of January one thousand nine hundred and eight) shall have expressed in writing to the local education authority his conscientious objection to give such religious instruction.'"—(*Lord Belper.*)

LORD STANLEY OF ALDERLEY thought the Amendment involved a discrimination in favour of Cowper-Temple teaching. But it went further than that. It proposed to limit the right of the teacher to refuse to give such instruction, should he conscientiously object to it, to the moment of his appointment. In other words, the teacher was to have a right of conscience but once in his lifetime. Should he modify his theological views in course of time, so that the religious teaching became distasteful to him, the local authority would have power to say to him, "You failed to object on your appointment; you are now under contract to us, and you must give this teaching." The result would be that the teacher would go on giving the religious instruction reluctantly, because if he did not do so he would lose his situation. It was absolutely impossible that any Liberal, with his objection to religious tests, could listen to such a proposal for one moment.

*VISCOUNT ST. ALDWYN said there was no doubt that the Amendment was in a sense a discrimination in favour of Cowper-Temple teaching. But it must be remembered that, while there might be a strong desire on the part of outsiders to give Church of England, Jewish, and Roman Catholic religious teaching in the schools, there was no such desire on the part of outsiders to give Cowper-Temple teaching in council schools. With all its wish for the abolition of religious tests, he thought the Government had gone further in that way than the country really desired. Surely no one would contend that the general desire for the abolition of tests went so far as to ask that a teacher should not be required to give Cowper-Temple teaching in any council school to which he had been appointed. He therefore thought the principle of the Amendment reasonable.

THE LORD BISHOP OF BIRMINGHAM said that from his knowledge of young men it was the greatest possible mistake to suppose that their religious difficulties were concerned with questions that divided denominations. He was persuaded that the religious opinions of a vast number of young men in this country were totally unsettled, and there was no class to which that observation applied more than to the class of young men who were preparing to become teachers. The religious difficulties which presented themselves to these young men—as they themselves would admit with the utmost frankness—were exactly the kind of difficulties that disqualified them from giving, not any particular kind of denominational instruction, but religious instruction of any real kind at all. Therefore, whatever sort of protection they desired to give to the consciences of teachers, they would want to give it in respect to any kind of undenominational or Biblical teaching just as much as in respect to denominational instruction.

THE EARL OF CREWE: My Lords, I have very little to add to what has been said by my noble friend behind me and affirmed by the right rev. Prelate who has just sat down. I am sorry that the noble Viscount thinks we have been almost pedantically careful in this matter of tests, but we have also considered the feelings of those who are very anxious that this particular teaching should be given by qualified men in the manner pointed out by the right rev. Prelate; and it is undoubtedly the case that if you are to make it part of a teacher's duty that he must give this particular religious teaching you will run the risk of straining a good many consciences, whereas, if the matter were left, not as an explicit declaration, but as a choice to the teacher, that straining would not take place. I think the possibility of any great administrative difficulty has been over-rated. I imagine that the local authority would put the teacher to teach something else at the same salary. It is extremely unlikely that the local authority would be so weak as to give way to a threat that the teacher would refuse to give the instruction unless his salary were increased. We cannot accept the noble Lord's Amendment.

THE LORD BISHOP OF ST. DAVID'S said the Government were accepting one part of Mr. Chamberlain's Amendment, and declining the other. Unless something like this Amendment were accepted it would not be competent for the Government to say that the Bill secured simple Bible teaching in every school in the country.

LORD BELPER said he was by no means convinced by the arguments that had been used against his Amendment. It seemed to him pretty certain that they would have to pay the teacher for giving the religious instruction or they would have to pay someone brought in from outside. He would not, however, put the Committee to the trouble of dividing.

Amendment, by leave, withdrawn.

LORD MONK BRETTON said that owing to a misapprehension he had voted in the wrong lobby upon the Amendment moved by Lord Stanley of Alderley.

THE EARL OF CAMPERDOWN moved to add the following proviso—"Provided that no addition to nor deduction from a teacher's salary shall be made on the ground that he does not undertake to give any religious instruction in the school." This Amendment was to enable the teachers to exercise freely the option given to them in the earlier part of the clause. Under sub-section (1) as altered by their Lordships a teacher was permitted to give denominational religious instruction. Sub-section (2) stated that "a teacher shall not be required to give any religious instruction." That left it in the teacher's discretion whether he would or would not offer to give religious instruction. The noble Earl in charge of the Bill had stated that when a teacher applied for employment, according to the Bill it would not be legal to ask him what were his religious convictions or whether he was or was not prepared to give religious instruction. Did it not follow from that that his salary ought not to depend on the manner in which he exercised the option given to him by the law? He did not see how it could be otherwise. What was a teacher's salary? What was it paid to him for? It was given to him for a certain number of hours' work and he was bound to carry out every instruction which the managers of the school desired with the exception of religious instruction. Whether he would or would not give religious instruction depended entirely upon himself. That was not only his own personal opinion, but it was also the opinion of the Board of Education, for Mr. Birrell had said so in the other House. In one of his speeches the right hon. Gentleman said—

> "The salary of the teacher must be paid to him by the local education authority."

Probably when they came to Clause 11 he would have reason to quote again Mr. Birrell's words with reference to that clause. It therefore followed that if a teacher chose to give religious instruction, it was a voluntary act on his part. If he declined to give religious instruction he received his whole salary just the same. If he said he would give Cowper-Temple instruction then it was said, "This is the proper sort of religion, and you shall receive your whole salary." But if the teacher proposed to give denominational instruction the Bill said, "No, you are not to receive your full salary, and we are going to make a deduction from it on that account." He did not know from whose fertile but narrow and stingy brain the proposition had emanated that, because a teacher had been giving religious instruction of a denominational character, he was to have a deduction made from his salary. He did not see upon what grounds of justice that could be supported. A man's salary was his salary, and he received it because he was at the disposal of the education authority during certain hours. If he said, "I will not give denominational instruction or Cowper-Temple instruction," then he was put to something else, but his salary was given to him for the time he devoted to the education authority, and so far as he could see he ought to receive his salary. It had been said that a teacher might take this opportunity of blackmailing the local authority. Lord Belper had said that a teacher might take this opportunity and say, "No, I shall not teach religious instruction," foreseeing that the local authority would be bound to ask him to do so, and possibly to pay him more money. The Earl of Crewe had said that he felt sure that teachers would not blackmail the local authority on the one hand, nor was there any reason to suppose on the other hand that they would blackmail in favour of denominational instruction. Even if a teacher were to take that course he might find himself in a hole. Take, for example, the case of a Cowper-Temple school. The teacher might say, "No, I shall not give Cowper-Temple teaching." In that case the local education authority was empowered, not by law, but by the construction of the law, to employ another person who was not a teacher but a person who taught, and to pay that individual. It did not in the least follow that they would pay the money to the teacher who declined to give the instruction. To take another illustration—suppose it was a denominational body. If the teacher declined to give denominational instruction, the denominational body would be bound to find a person who would give denominational religious instruction, but it did not follow that they would employ the teacher. He believed that as a rule teachers would have far higher motives than a mere pecuniary one for giving instruction to the children. Noble Lords like Lord Stanley of Alderley, who knew far more of the working of schools than he did, were of opinion that the teacher was very anxious to give religious instruction for the discipline of the school, and to obtain influence over the children, and to retain his influence over them; and consequently a teacher would be extremely unwilling to do anything, or abstain from doing anything, which would bring in outsiders and diminish his influence with the children whom he taught. For these reasons it seemed to him that as the policy of the Bill was to give freedom to the teacher his salary ought not to depend on the manner in which he exercised the option given him under the Bill. He begged to move his Amendment.

Amendment moved—

"In page 7, line 8, at end to add the words 'provided that no addition to nor deduction from a teacher's salary shall be made on the ground that he does or does not undertake to give any religious instruction in the school.'" (*The Earl of Camperdown.*)

LORD CLIFFORD OF CHUDLEIGH said he took this Amendment as a necessary consequence of the clause as it originally stood. This clause had been called the charter of freedom for the teacher, but if one was to follow the natural interpretation of the clause that claim seemed to be absurd, because a teacher was told that he was perfectly free to give or not to give religious instruction, and at the same time he was informed that, although he had perfect freedom, if he exercised it he would be liable to be fined.

THE EARL OF CREWE: The noble Earl who moved and the noble Earl who has just sat down both support this proposition on the ground that its acceptance would strengthen the conscience clause for teachers, and that it would relieve them from a temptation to undertake religious teaching when they would naturally prefer not to do so. I quite admit that at first sight that appears to be the case, but I should just like to put this to my noble friend opposite, and he will see that the matter is not quite so simple as it appears at first sight. I gather from my noble friend that whatever the teacher does or refuses to do he is to get the same salary whether he agrees to give Cowper-Temple teaching and facilities teaching or whether he refuses to give either.

THE EARL OF CAMPERDOWN said there was to be no agreement, and nothing was to be said at the time the teacher entered upon his duties.

THE EARL OF CREWE: If the teacher expresses his willingness on his appointment to give both or to give one, or if he expresses unwillingness to give either, he is to receive the same salary. If the noble Lord will look back to Clauses 3 and 4, he will observe that the facilities teaching is not to be paid by the local authority but in each case by the denomination. I do not quite see if the salary is to be identical in each case how that can work out. Does the noble Lord mean that in addition to a fixed inclusive salary if the teacher likes to give Cowper-Temple, or at any rate facilities teaching, he is to receive something extra from the denomination? The same difficulty will arise, and the teacher will be under the temptation to give it whether he really wishes to or not. It appears to me that the only way in which this particular machinery can be worked is by making a double agreement with the teacher, namely, that all teachers should have an agreement for secular education. As regards the religious hour from nine to nine forty-five in the morning or as the case may be, if the teacher is employed during that hour, no matter what at, he will have to be paid by somebody. He will be paid if he gives Cowper-Temple teaching, but he will be paid by the local authority. If he is in the school at the time when religious instruction is being given, he will be paid by the local authority. Of course we never intended that the teacher should give the facilities instruction in the ordinary sense, and we did not contemplate that the question would arise, because that instruction would have to be paid for by the denomination which gave it. If it so happened that the teacher was not required in the school at all during the religious hour, if he obtained an hour's leisure, it certainly seems reasonable that he should have an hour's less pay. ["Oh, oh."] It may, however, be taken that as a rule the teacher would be employed somehow during that hour. The case mentioned is very unlikely to arise, but if the teacher was not in the school serving the local education authority, why should he get the same salary as those who were doing that hour's extra work? I do not think any noble Lords opposite will consider that there is any injustice in that statement, and it seems a perfectly reasonable one. The teacher undertakes his contract for secular education, and if he is employed during that hour he will be paid for it. With one remark which fell from the noble Earl I am in the most complete agreement. I agree with him that the question of pounds, shillings, and pence is not the one which will operate most in the minds of the teachers in considering this matter. They will be very anxious to give this religious instruction, when not prevented from doing so by absolute conscientious motives, for the reasons stated, that they know very well the great influence they can get over the children by giving it.

THE EARL OF CAMPERDOWN said that after listening to the reply of the noble Earl, he had come to the conclusion that he must have been born in the West Riding of Yorkshire, for he had exactly taken up the argument and the position which the West Riding local authorities had taken up. He had said that if a teacher was engaged by a local authority and did nine hours work, he would receive nine hours pay, but if he was only called upon to do eight hours work it was clearly quite reasonable and proper that he should only expect eight hours pay. The noble Earl did not look at this matter from the side of the teacher at all. The teacher could not be expected to go off for a lark for an hour. When the religious instruction was going on the teacher must be there.

THE EARL OF CREWE: And if he is there he will be paid.

The Earl of Crewe.

THE EARL OF CAMPERDOWN said the local authority did not say to him, "We engage you to come at a quarter to ten for secular instruction, and for secular instruction only." He was the teacher employed by the local education authority, and he was bound to teach anything he was instructed to teach except religion, and that was entirely at his own discretion. But the noble Earl, like his friends in the West Riding, wished to divide time into fractions and to say how much should be given to religion and other things, and he said clearly that they might make a deduction from the teacher's pay, that it was quite right that such a deduction should be made and that it would be quite satisfactory to the teacher. The noble Earl agreed with him on one thing, and it was that all teachers desired to gain influence over the children in order to maintain discipline in the school, and having that object in view they were willing to teach Cowper-Temple religion or denominational religion or any other religion. The teacher might be, and in many cases would be, willing to do this, but according to the noble Earl, if he taught Cowper-Temple religion, that was quite right and he would be paid for it, and would receive his whole salary.

THE EARL OF CREWE: He would receive extra salary in consideration of that. All the teachers would be paid a salary, and those employed in any way whatever during that extra hour would receive extra payment.

THE EARL OF CAMPERDOWN said he was ignorant upon this point and perhaps the noble Earl would enlighten him. He wished to know if teachers in Cowper-Temple schools now received a salary. He would also like to know whether, if a teacher consented to give Cowper-Temple teaching, he would receive extra pay.

THE EARL OF CREWE: No.

THE EARL OF CAMPERDOWN said he was afraid the whole case of the noble Earl fell to the ground. He took it that the noble Earl was not speaking in a Birrellian sense, but was using words in their ordinary sense, and he understood him to say that a teacher would receive extra salary for teaching this Cowper-Temple religion. Where was that provision to be found in the Bill? That had not been the practice hitherto, and he should like to know where it appeared in this measure.

THE EARL OF CREWE: A local authority can make any agreement it likes, and if it likes to pay the teacher when he is not in the school, it may be competent for them to do so, but my point is that whereas now teachers are engaged in those schools under a single contract, under our Bill probably the convenient and almost necessary course would be to have a double contract, that is, a regular contract for secular teaching and a separate agreement in respect of religious teaching if the teacher chooses to give it.

THE EARL OF CAMPERDOWN said he was beginning to understand the proposal. At present a salary was paid which covered Cowper-Temple teaching, but under this Bill that arrangement was going to stop and there was going to be another arrangement. That was the first he had heard of it. Now they found in the first place that a teacher was to receive a salary for secular instruction and he was to receive an extra salary for giving Cowper-Temple teaching. He should like to know if that was sanctioned by the Act of 1870. Was it sanctioned by the Bill of 1906, and, if so, where was it to be found?

THE EARL OF CREWE: There is nothing to prevent it.

THE EARL OF CAMPERDOWN said they were just beginning to understand this Bill. Under Cowper-Temple teaching there was now to be a double agreement, one under which the teacher was to be paid for secular teaching and another under which he was to be paid for teaching Cowper-Templeism. It would be very interesting to know upon what scale the payment would be made. He wished to say a word or two about the teaching in the other denominational schools or transferred schools. What was to happen in that case? How would the teacher start? Would he be given a salary for secular teaching?

THE EARL OF CREWE: I decline to engage in a conversation of this kind across the floor of the House with the noble Lord. If he will put his points I will reply to them at the end of the debate.

THE EARL OF CAMPERDOWN apologised and said he agreed that his questions were somewhat irregular. He would assume that the teacher was to be paid a salary for secular education and that that salary was to be paid for a certain number of hours work. He could not see upon what basis it was going to be calculated. If a teacher declined, and said, "I will not give any denominational instruction," he would have to be content with his secular salary whatever that might be, and he presumed that would be explained to him when his appointment was made. After all, if any denomination teaching was to be given he presumed that the cost would fall upon the denominational authorities, and not upon the local education authorities. That was exactly the opinion of the West Riding of Yorkshire Local Authority. He supposed the Board of Education was bound to stand up for the law as it was supposed to exist at the present time, but it appeared to him that what the West Riding of Yorkshire contended for was going to be the law of the future. He thought that would be very hard indeed upon the teacher, and it was for that reason he had begged to move the Amendment.

LORD BELPER said it was certain that the first result of the teachers' not being obliged to give religious instruction would be that where there were contracts they would be raised, because they would have to pay the same salary they were now paying for secular instruction and an additional sum for religious instruction. On a previous Amendment the answer of the noble Earl was that there was not the slightest chance of that happening, that they might make themselves perfectly easy that the county councils would take care of themselves, and there was no chance of their paying anything extra. Now the noble Earl had stated that it was perfectly certain that the teacher would be paid so much for secular instruction, and that he would have to be paid in addition for the religious instruction he gave. He was very much surprised at this great change which had taken place in so short a time. He did not wish to make any reflection upon what the teachers would do, but it was perfectly clear that if a teacher was under contract to give religious instruction as well as secular instruction, and religious instruction was no longer to be part of his obligatory duties, the very first thing he would ask for would be to be paid extra for that religious instruction. The noble Earl had stated that the county council could very well take care of itself, but how? By going outside and bringing in some other teacher whom they would have to pay to give that religious instruction which the teacher in the school would not give. He thought this was an important point, and he was glad his noble friend had raised it. He had talked to several people interested in the matter, and he had never heard any difference of opinion as to what the result of the clause would be; they all declared that it would have a very serious effect upon the financial arrangements of the county council. He had been shown several returns made by different county councils of their estimates for the amount of extra expenditure the Bill would entail, and in every one of them there was a considerable sum included in consequence of this clause. He hoped his noble friend would press this Amendment, because it seemed to him most important in the interest of the administration of the county councils.

THE MARQUESS OF SALISBURY said they were again brought face to face with the question of tests for teachers. He wished to remind the Committee of the case of the unfortunate secular-minded teacher who did not want to teach religion at all. They had been warned in very solemn tones, with which all of them must have sympathised, that they ought to put no constraint upon the conscience of the secular teacher to induce him to "stifle his conscience." As a matter of fact the noble Earl was going to do that because he was going to tell the teacher, "If you teach secular education only you will be paid so much." The noble Earl said there would be a contract for secular education, but if the teacher gave his services for the religious hour he would have something extra. There would be this financial inducement put upon the teacher that the secular-minded teacher would get more money if he stifled his conscience and consented to teach religion. He believed that the consciences of the teachers were made of sterner stuff than noble Lords opposite were willing to allow, and that they might be relied upon not to set their consciences against the amount of their salary. It seemed to him to follow that, unless the teachers were paid the same amount whether they gave religious instruction or not, a financial inducement would be put upon them to teach religion whether they believed in it or not, and this brought them once more face to face with the question of tests for teachers.

*LORD STANLEY OF ALDERLEY said it had been extremely interesting to see the dawning of truth on the mind of the noble Lord opposite after struggling for a while in the twilight of obscurity. He should like to turn from the speech of the noble Lord and his earnest attempts to elicit information by a series of questions across the floor of the House to the substance of the Amendment itself. Noble Lords opposite on many occasions had shown a laudable desire for information, but it was a desire not always guided, in his opinion, by the best of judgment, because they had put questions to the noble Earl in charge of this Bill which were simply questions of administration that would fall upon the local authority which had to work the Bill when it became law. Therefore as all those questions were matters which the local authority would have to deal with they were not questions which the Minister in charge of the Bill ought to be called upon to answer. If the Bill was plain and clear the House would judge of the measure, and the local authorities would have to bring their own judgment and intelligence to bear in order to work the Bill. Practically those bodies who, under the previous clauses of the Bill, agreed to bear the expense of their own special religious instruction were in substance now to get it for nothing. [Cries of "No."] That was so, because a charge was to be put upon the local rates which he had already pointed out was not a proper thing for their Lordships to do. He was only sorry that the noble Lord did not adopt the celebrated wear and tear Amendment which provided that no additional cost should be imposed upon the rates. It was perfectly clear that the local authority ought to pay and would pay for any services which it obtained. Those services might be obtained during the whole time the school was open, if the teacher was willing to give Cowper-Temple instruction; or if the teacher was not willing to give religious instruction, and the local authority had use for his services in other ways, his services might be utilised giving secular instruction. There might be five or six children withdrawn from religious instruction, and the teacher whose conscience did not allow him to give religious instruction might be employed in teaching those children. Again, there might be homework to correct and other school work to do, and he did not think the head teacher would find it difficult to employ a teacher in carrying on the work of his employers during the religious hour, in which case probably the local authority would have no hesitation in paying a full day's wage for a full day's work. The object of this proposal seemed to be that the teacher should receive the same sum of money for his services whether he rendered service during religious instruction or whether he exercised his legal rights to refuse. ["No."] He took it that the noble Earl opposite wished the teacher to receive the same amount of pay from his employer whether he was doing work for the local authority the whole of the time or whether he was working for some outsider. Take the case of Clause 4 schools. In those schools permission was given to the teacher to give special religious instruction every morning of the week, and they had put into the Bill that the local authorities should be compelled to allow him to do it, and that that special instruction was to be given at the cost of the private people and not of the local authority. Now they were laying down that the teacher was to be paid by the local authority, not for doing the work of the local authority, but for doing the work of some other person during the time when he might otherwise be engaged by the local authority sharpening slate pencils or performing any other work in connection with the school. Was it reasonable to ask an employer to pay a person for services which he was rendering to somebody else? The whole argument was that whether the teacher worked for his employer or for an outsider he was equally to be paid the same sum of money. It was not his business to explain to noble Lords how local authorities would deal with this difficulty, but there was not the slightest doubt that when noble Lords sat upon those authorities and were brought face to face with these questions they would overcome the difficulty. It was for another set of people altogether to carry out the working of this clause.

VISCOUNT HALIFAX said the Bill provided that no teachers were to be asked any questions as to their competency to give religious instruction, but if they declined to give it the local authority was to find somebody else, and presumably to find funds with which to pay them. He wished to know if that was so. That appeared to him to be the fact, and the Earl of Camperdown by his Amendment asked that no addition or deduction should be made to or from a teacher's salary on the ground that he did not undertake to give any religious instruction in the school. That was precisely the provision of the Bill. It appeared to him that the noble Lord opposite was entirely oblivious of the contents of the Bill which made religious instruction entirely outside the obligations of this measure, and yet it provided that the local authorities should find somebody to give religious instruction if the teachers declined to give it.

*THE LORD BISHOP OF SOUTHWARK said he could not help feeling that this matter was somewhat obscure, and they ought to get it made clearer than it was at the present time. He thanked the noble Earl for the tenacious way in which he had stuck to his point and brought things out with clearness and precision which before were involved in a good deal of fog. He thought a very great step had been gained by its being made perfectly clear that the series of impressive arguments which the President of the Council addressed to them about hypocrisy must now be extended a great deal further than he extended them. By the arrangement proposed he thought there would be innumerable cases in which a great temptation of a monetary kind would be put in the way of teachers to give Cowper-Temple instruction whether they agreed with it or not. He was quite aware that the peculiarly protean character of Cowper-Temple instruction might ease off the difficulty. It was quite clear that by this arrangement the Government did not dispose of the difficulty of putting a strain upon teachers' consciences. But it appeared to him that the effect of the noble Earl's Amendment would be that Churchmen would in practice be claiming what they had agreed not to claim, namely, payment from the rates for their own special form of religious instruction. When they had agreed that they would not do this, he thought it would be particularly unfortunate if, by this proposal, they appeared to be doing it in an evasive or indirect manner. He hoped, therefore, that the Amendment would be withdrawn.

THE LORD BISHOP OF ST. DAVID'S said he was in doubt as to what had been said in reference to double agreements. Sir William Anson, whose authority should carry great weight, had said in the House of Commons that according to the clause no contract could be made with a teacher with regard to extraneous duties. The noble Lord, Lord Stanley of Alderley, had said, and in this he agreed, that the second subsection made Cowper-Temple teaching an extraneous subject. He desired to submit for the consideration of their Lordships this point: when children were withdrawn from religious instruction in a council school, how was it competent for the local authority to make a second agreement with a teacher to give the teaching? It was not a question for the local authority, it was a question of law.

LORD STANLEY OF ALDERLEY desired to explain that he did not say it was incompetent for the local authority to teach general religion. What he said was that, with regard to the right of the teacher, the teacher was entitled to decline to teach it as much as he was entitled to decline to teach in a Sunday school. There was a difference between the right of a teacher to decline to give the teaching and the right of the local authority to pay for the teaching.

THE MARQUESS OF LONDONDERRY thought it might be desirable to quote the remarks of the Parliamentary Secretary to the Board of Education dealing with the question. He said it would be the duty of the local authority to select at the beginning a teacher who had no objection to giving Cowper-Temple teaching. He thought that was the answer to the noble Lord opposite.

THE EARL OF CREWE: My Lords, my noble friend the Earl of Camperdown said that he was beginning to understand this Bill.

THE EARL OF CAMPERDOWN: I beg the noble Earl's pardon. I said I was beginning to understand it better than I did.

THE EARL OF CREWE: But the noble Earl has not begun to understand it very well, because he has overlooked the important fact that was pointed out by the right rev. Prelate the Bishop of Southwark, namely, that if the noble Lord means, as apparently he does mean, that the facilities teaching is to be paid for in certain cases by the local authority, in the first place he is moving an Amendment which is out of order, and in the second place he is trying to do something which his Party and, I imagine, himself, have explicitly refrained from doing. Both in Clauses 3 and 4 it is explicitly stated that the special religious teaching is not to be given at the cost of the local authority. How my noble friend proposes that all teachers should be paid an inclusive salary which is to cover the time during which they are giving this particular teaching, without infringing what has already been passed by your Lordships, I confess I am not quite able to understand. When speaking before I put that question to my noble friend, and although he asked a great many questions of me, he did not attempt to answer that one which I had put to him. How these teachers are to get the same salary as all the other teachers who will not give the facilities instruction, and in addition to that are to receive a payment from the denomination, and why they should be placed at that singular advantage, I confess I do not understand.

My Lords, Lord Belper complained that I did not answer his question completely before the adjournment. Noble Lords at that time were obviously anxious to adjourn and, in fact, a great number of them had already adjourned on their own account. I did not enter into this question of the contract at that time partly on that account and partly because I knew I should have to do it again when the noble Lord the Earl of Camperdown asked his question. I do not think I misled my noble friend in any way. I said the local authority would not be blackmailed into paying, in addition to the salary which they at present pay for the whole school time, an extra salary for Cowper-Temple teaching. It is true I did not explain what I thought would occur, which is this, that it would be necessary for the local authority to split their contract and pay the major part of the salary in regard to the regular school hours and the minor part in regard to this religious hour.

My Lords, I cannot help thinking that there has been a very great exaggeration in the attempt to show that necessary breaches of the conscience clause are likely to occur under this provision. The noble Lord the Marquess of Salisbury pressed that view and so did the right rev. Prelate the Bishop of Southwark. It appears to me that it is in exceedingly few cases, even if the teacher were not employed in giving religious instruction, that he would not be employed in the school at the time. If that is so, clearly that argument falls to the ground. He is paid for being there, and in our opinion he would almost always be there. I felt bound to mention the possibility that he might not be employed during that hour at all, but it seems to me exceedingly remote, indeed scarcely worth mentioning, because in almost all circumstances he would be employed in some work.

THE MARQUESS OF SALISBURY: Suppose he were the only teacher?

THE EARL OF CREWE: If he were the only teacher I think it is extremely probable that a certain number of children would be demanding secular education which he would give during that time. It is, I believe, a case extremely unlikely to happen. I am bound to say as regards this matter I do not know that our discussions have been exceedingly relevant. Your Lordships have made many changes in this Bill, but that is not to what I allude. The discussions themselves have not always been kept very closely to the point at issue, and I am bound to say that I think that we have never employed our time to so little purpose as during the last hour and a half.

THE LORD BISHOP OF ST. ASAPH said he had endeavoured to follow what had been said that afternoon and evening and he would like to have an opinion from the noble Earl the Lord President of the Council. He had never before heard of these two contracts. Apparently there was to be a contract for secular teaching and a contract for the Cowper-Temple teaching. Was there to be one payment under the first and another payment under the second contract?

THE EARL OF CAMPERDOWN said he did not desire to take any exception to the remarks of the noble Earl, but he really thought that when he said that this discussion had been very irrelevant he was travelling a little beyond the fact. He was not aware that in the remarks he made he said anything that was not strictly relevant to his Motion and the sub-section.

THE EARL OF CREWE: I did not accuse the noble Earl of irrelevancy. I thought the discussion had involved a considerable waste of time because it dealt with conditions which would seldom arise.

THE EARL OF CAMPERDOWN thought the noble Earl must have been referring to his noble friend, Lord Stanley of Alderley, because, with the exception of himself (the Earl of Camperdown), the noble Lord had conducted the greater part of the discussion. He merely wished to say that his remarks and questions had reference to what was or was not in the Bill, and had no reference to any impression which might have been produced by Lord Stanley of Alderley. On the whole he thought they had had a very interesting discussion, and he had learned one or two things he did not know before. He knew the noble Earl the Lord President of the Council did not share that view. He would not put their Lordships to the trouble of a division, because he did not think the result would be a good one.

Amendment, by leave, withdrawn.

*THE LORD ARCHBISHOP OF CANTERBURY moved the first of a series of Amendments, namely, to insert at the end of sub-section (2) the following words—

> "It shall be the duty of the local education authority to satisfy themselves as to the qualification of any teacher to whom is assigned by them the giving of religious instruction under Section 14 of the Elementary Education Act, 1870."

Of all the important clauses in this Bill none was more important than that affected by this Amendment. As he understood it they had accepted, at least speaking for himself he had accepted, frankly, and without reserve, the idea of the total and absolute abolition, he would not say of religious tests, because he objected to that term, but of theological tests in any form as regarded the teacher as such, the teacher in his *status*, in his profession, or in his appointment to a particular school. He was not sure whether their Lordships willingly accepted that position. Willingly or unwillingly he was one of those who had declared his adherence to it, and he was perfectly prepared to stand to it. He felt a deep regret that by the changes which this Bill would bring about, the system whereby the choice of a teacher for the great task of forming the characters as well as instructing the minds of little children would pass out of the hands of those who had hitherto put in the foremost place the duty belonging to them of carefully ascertaining by individual inquiry all that they could possibly learn about the man or woman who was to be appointed to so sacred a task. He said in the widest terms "all they could possibly learn," because they were not barred from any inquiry which they thought necessary, or from any inquiry which any of their Lordships would think necessary if to-morrow they were choosing a governess for their own children. Hitherto in the Church schools of England the duty of making the inquiry resulting in that choice had been willingly and carefully carried out to the great advantage of the public and to the enormous advantage of the little children. That would now practically come to an end. It was simply impossible for a local education authority to make the kind of inquiry which had hitherto been ordinarily made by the managers of what had been known as voluntary schools. Even if they desired to do so this Bill, by precluding any question of theological inquiry or, as it was called, a test, would rule out a good deal of the subject matter of inquiry which had hitherto in many cases been felt to be most necessary and desirable in the interest of the children. For good or for evil they had, or at least he had, declared frank acceptance of that result. So long as the appointment in so many schools turned largely upon those kinds of qualifications which were thus inquired into, it mattered far less if a distinction were drawn between the duties assigned to a teacher as part of the ordinary governance and guidance in the school and the duties assigned to him or to her as a religious teacher. But now, if all those inquiries which were ordinarily, though he himself thought most inappropriately, grouped under the general heading of tests were to be put an end to, it became far more necessary than ever to insist that, before appointing teachers to whom was to be entrusted the specific duty of giving religious instruction of the kind which they had been often reminded in that debate might be so thorough under the Cowper-Temple clause and might on the other hand be so inadequate—the duty of inquiring into the qualifications of the person to whom that task was to be assigned was one of paramount importance.

The duty of anyone who made the appointment of a teacher to an elementary school was to consider, among other things, what was the kind of what he might call pastoral power which that person, whether man or woman, possessed for giving guidance and direction to and upbuilding of the character of little children. That was a pastorate of a very true sort, often exercised much better by teachers than by those to whom they ordinarily assigned the term "pastor," and it was being carried on every day in many a school by a really qualified and skilled teacher eager to form, upon such lines, the character of little children. Such appointments and inquiries had been a great responsibility splendidly discharged, and he fully hoped and believed that it would go on being splendidly discharged in the years that were to come. The difficulty for the local authorities in satisfying themselves as to this kind of qualification on the part of the teacher was far greater than when the responsibility of making the inquiries resulting in the choice rested with those who were the ordinary managers of a voluntary school. They could not assure it now in making the appointments to general teacherships either as head teachers or as assistants. He was sure everyone would try to do his best, but it could not be done with the same thoroughness as before. He ventured to think that they had had an encouraging object lesson in the division which took place that evening, when Lord Stanley only succeeded in getting eight or nine of his colleagues to join him in the lobby as against the rest of their Lordships' House, when he desired to say that every thought of the religious qualifications of the teacher must be banished totally from the minds of the persons making the appointments.

The position now was that those on whom rested the duty of selecting teachers had two duties to discharge. One was to appoint a teacher; the other to appoint the giver of religious instruction. What he asked their Lordships to affirm by a vote to-night was that the man or woman to whom was to be entrusted by the local authority the giving of religious instruction as a specific duty must satisfy that authority, and that that authority must be bound to satisfy themselves as to the qualifications of the man or the woman for that work. It sometimes seemed to him that such a proposition ought not to require argument at all. He was not speaking now of the duty of giving a man or woman the general governance or guidance of the school; he was speaking only of the choice of a person for a specific duty, the duty of teaching the Christian religion under the conditions that were permitted by the Cowper-Temple clause. If they were to say that while for every other subject assigned to that teacher qualifications must be proved to exist before he or she was entrusted with the duty, would anybody say that they were deliberately to rule out from the category of subjects about which any inquiry was possible the giving of religious instruction within the walls of the school? Would anybody suggest that they would employ a teacher to give drawing lessons without finding out by testimony, or by what had been done in the past, whether the instructor was able to draw? They were all accustomed to Swedish drill in their schools. Would anybody say that a person totally unfamiliar with that very recondite art was to be trusted to give such instruction without inquiries being made? That was what they would be saying if they did not deliberately state that the local education authority, or whoever that authority delegated its powers to, must satisfy themselves that the person who was to perform the highest and most sacred of all tasks was really qualified to discharge it.

The teacher must be qualified first by knowledge. Evidence about that was quite easily obtainable, whether by past examinations or by reports upon the manner in which the instruction had been given elsewhere. The second qualification must be that kind of character, which, apart from the questions of being honest or dishonest and so on, was required of a person who was to give the most sacred and solemn instruction, instruction in religious duties, in the knowledge of God and His will as well as of man and man's laws. Further, there must be the qualification that was shown by a glad and eager readiness to give that kind of teaching. He did not go further than that. He did not want to specify the manner in which persons who had to make the inquiry were to carry it out. There might be different ways of doing it which would depend on circumstances, such as where the man or woman came from, what opportunities he or she had already had, and so on. They had to guard against the growing up of an idea that, because they had most rightly abolished tests as a qualification for Civil Service work, therefore they were barred from making inquiry, when dealing with religious teaching, as to whether or not the person was qualified to give such teaching.

He did not want it to be thought that he was asking for the imposition of a test with regard to the appointment to a school. He was asking for nothing of the kind, and had carefully guarded himself against doing so. There was all the difference in the world between appointment to a school and appointment in a school to give religious teaching. They did assign to the local authority in a vastly greater number of cases than heretofore the duty of selecting teachers who would do the work, but the authority would not have the stimulus which had been given hitherto by the wholesome rivalry of the voluntary schools alongside them. He would probably be told that that kind of duty had devolved hitherto on many local education authorities, and that there had never been any practical difficulty in the discharging of it in a reasonable and proper way. Up to the present time the local authority, whether it was the school board in the old days or the local authority now, had had this great help, sometimes known and recognised, sometimes not known or unrecognised—that alongside of the schools to which and in which they made appointments and assigned duties, there were other schools with teachers carefully trained and about whom inquiries were daily being made and from whom the general profession of teachers was constantly being augmented. These were men and women who fully expected that inquiries would be made, certificates being produced for the purpose. Now that would be gone. If they cut away, as they would do if the Bill passed in any form, that wholesome kind of rivalry with voluntary schools, they would find that, with the small exception of the four-fifths schools in which it was still intended that the special denominational character should remain, all the teachers would be appointed in one way. That being so, they were bound to see to it that at all events it should not be felt to be inappropriate for the local authority to ascertain that the qualifications which such teachers ought to possess did exist before appointing them to a particular duty. The noble Lord and others had quoted the rule laid down in 1894 by the London School Board as showing the temptations that should be avoided in the difficult task of making appointments. That rule laid down—

> "That the religious opinions of teachers are not to influence their selection, nomination, appointment, or promotion; nor are teachers or candidates for appointments as teachers to be subjected to any question with reference to their religious beliefs, or as to the possession or otherwise of certificates which may be taken as indicative of their belonging to any denomination, nor are inquiries to be made into the beliefs of teachers by the council or board or any other persons connected with the board."

He should not have put it in that way, but he was prepared frankly to accept the principle embodied in those words as regarded the appointment to a school or promotion, but he distinguished between that and the specific and definite duty of giving religious instruction. The religious instruction given in London under the London School Board and the London County Council was frequently excellent, and was given by persons for the most part trained in colleges which were now threatened and which, at all events, were not likely to find it easy to serve the nation so well as they had served it in the past. He hoped that that fear would be unfounded, and that everyone would rally to the support of the colleges, but if it should happen that colleges were to be multiplied in which teachers had no opportunity of gaining definite religious instruction, the difficulty of finding teachers properly qualified for the high and sacred work of specific religious teaching would become weekly and hourly greater. He desired to guard against the possibility of the idea that this Bill laid down some kind of implied or supposed embargo on the local authorities which prevented them from satisfying themselves to the full as to the qualifications of those persons who were to give definite religious instruction upon which almost everything else depended.

Amendment moved—

> "In page 7, line 8, after the word 'worship' to insert the words, 'It shall be the duty of the local education authority to satisfy themselves as to the qualification of any teacher to whom is assigned by them the giving of religious instruction under Section 14 of the Elementary Education Act, 1870."—(*The Lord Archbishop of Canterbury.*)

THE EARL OF CREWE: My Lords, I hope my noble friend the Earl of Camperdown did not think I was wanting in courtesy to him when I expressed the opinion that the last discussion had taken a time disproportionate to its importance. I ought to apologise to him——

THE EARL OF CAMPERDOWN: The noble Earl need not.

THE EARL OF CREWE: Because I had in my mind the discussion likely to arise on this Amendment, which I think he will agree somewhat further relieves the situation on the particular point of the conscience clause. We all find ourselves in general sympathy with the proposition as stated by the right rev. Primate in his speech. We have always drawn a marked distinction between the imposition of a test and the making of a discovery whether a particular person is fitted to give a particular kind of teaching. They are obviously different things. This was made clear by my right hon. friend so long ago as May last. Mr. Balfour then asked a question whether the words in Clause 7, Section 2, as it then was, which said that—

> "A teacher employed in an public elementary school shall not be required as a condition of his appointment to subscribe to any religious creed,"

excluded or were intended to exclude inquiries as to the fitness of the teacher to give the religious instruction contemplated under the Bill or whether they were merely intended to prevent such subscriptions to dogmatic formularies as used to be required in the case of University fellowships, but which have never been required in the case of elementary teachers. My right hon. friend answered—

> "So far as intention is concerned the answer must be in the negative. No restraint is intended to be placed on the local authority in satisfying itself that teachers who undertake to give religious instruction are not unqualified to give it."

My Lords, I imagine that there will be no disagreement with that proposition. It is clear that the minds of all of us would recoil from the idea of teaching of this kind being given by people who ostentatiously professed disbelief in it. Anything which can be done along the lines that we have laid down to prevent that we shall cheerfully do. I have here an alternative form of words which we prefer to those of the right rev. Primate. He says—

> "It shall be the duty of the local education authority to satisfy themselves as to the qualification of any teacher to whom is assigned by them the giving of religious instruction under Section 14 of the Elementary Education Act, 1870."

We are once more somewhat averse to placing this as a duty on the local education authority, a duty which it is perfectly obvious cannot be enforced. If the local authority take a different conception of their duty from that which we in this House might take, there is obviously no means of bringing the difference home to them. Consequently we propose these words—

> "Provided that nothing in this Act shall prevent the local education authority from satisfying themselves as to the fitness of any person who is willing to undertake to give religious instruction of the character permitted under Section 14 of the Elementary Education Act, 1870."

I think the right rev. Primate will see that the difference is not an important one, but we prefer that form of words for the reason I have mentioned, and we distinctly prefer the phrase "any person who is willing to undertake" to the phrase of the right rev. Primate "the teacher to whom is assigned by them."

*THE LORD ARCHBISHOP OF CANTERBURY said the words had only just been given to him and it was difficult to say whether they were sufficient. *Prima facie* he felt that the noble Earl the Lord President of the Council had gone some way to meet him, and he should be inclined to accept the words. The last thing he wanted to do was anything that imposed an unfair strain or difficulty upon the local authority. If they did anything to guard themselves against what experience had shown to be extreme action on the part of a few, it ought never to be said that they were trying to cast a slur upon the local authorities. Trusting them as he did, he was prepared to withdraw his own Amendment and accept the form of words suggested by the noble Earl the Lord President of the Council.

THE DUKE OF NORFOLK: I understand we are only dealing with this particular Amendment of the right rev. Primate's without prejudice to the Amendments that follow it.

THE LORD ARCHBISHOP OF CANTERBURY: That is so.

*THE MARQUESS OF LANSDOWNE: My Lords, I am glad to hear the right rev. Primate say he accepts the proposal of the noble Earl the Lord President of the Council. The Lord President's formula seems to be a weaker one than that of the right rev. Primate's, but I do not desire to quarrel with him as to the precise words of the sub-section. What we care about is that the principle should be accepted. The words proposed by the Lord President of the Council do appear to us to accept the principle for which the right rev. Primate is contending. He draws, and I think rightly draws, a distinction between the conditions attached to the initial appointment of a teacher and the conditions under which a teacher may have assigned to him from time to time the duty of giving the religious instruction of a particular kind. I think we are all agreed that we do not desire, so far as the initial appointment is concerned, that there shall be, so far as these particular schools are concerned, anything which can properly be called a test, anything like a requirement to subscribe to certain formulas or creeds, but in regard to the discharge of the teachers' duties, when he is, as it were, told off to give religious instruction of a particular sort, then it does become the duty of the local education authority to satisfy themselves that the teacher is competent and willing to give the religious instruction desired. That principle seems to me to be admitted in the formula suggested by the Lord President of the Council; therefore all that we desire is to reserve to ourselves the right to consider it further if we find there is any objection that can be raised to its wording.

THE DUKE OF NORFOLK said the noble Marquess had stated that they were all agreed on this point. He thought there were some noble Lords who could not assent to the proposition that in a Clause 4 school the teachers to be appointed should be appointed without reference to the doctrines they were to teach. The noble Marquess had drawn a distinction between teachers appointed to the staff and those appointed to give religious instruction. He could not assent to that distinction.

*THE MARQUESS OF LANSDOWNE: If the noble Duke will look at the Amendment he will see that it deals entirely with Cowper-Temple schools.

Amendment, by leave, withdrawn.

Amendment moved—

"In page 7, line 8, after the word 'worship' to insert the words 'Provided that nothing in this Act shall prevent the local education authority from satisfying themselves as to the fitness of any person who is willing to undertake to give religious instruction of the character permitted under Section 14 of the Elementary Education Act, 1870."—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

THE EARL OF CREWE: My Lords, I had hoped that we should have made more progress to-night, but the subject raised by the right rev. Primate in his next

Amendment is of such great importance and so far reaching in its character that I think, subject to his desire to go on, it would be wiser to adjourn at this moment.

THE LORD ARCHBISHOP OF CANTERBURY: I am quite willing to meet the noble Earl's wishes.

House resumed, and to be again in Committee To-morrow.

METROPOLITAN ELECTRIC SUPPLY BILL.

Read 3^a, and passed.

House adjourned at Eleven o'clock, till To-morrow, at a quarter past Four o'clock.

HOUSE OF COMMONS.

Wednesday, 14th November, 1906.

The House met at a quarter before Three of the o'clock.

RETURNS, REPORTS, ETC.

AUSTRALASIA.

Copy presented, of Papers relative to the Working of Taxation of the unimproved value of land in New Zealand, New South Wales, and South Australia [by Command]; to lie upon the Table.

STATISTICAL ABSTRACT (COLONIES).

Copy presented, of Statistical Abstract for the several British Colonies, Possessions, and Protectorates, in each year from 1891 to 1905 [Forty-third Number] [by Command]; to lie upon the Table.

POLICE ACT, 1890.

Copy presented, of Correspondence relative to the refusal of the Secretary of State's Certificate under Section 17 (2) of the Act to the River Tyne Police Force for the year ended 29th September, 1905 [by Act]; to lie upon the Table.

NATIONAL EDUCATION (IRELAND).

Copy presented, of Appendix to the Seventy-second Report of the Commissioners, being for the year 1905. Section II. [by Command]; to lie upon the Table.

LIGHTS ON VEHICLES (SCOTLAND) (BYE-LAWS).

Return ordered, "showing the Bye-laws made by Councils of Counties and Burghs in Scotland as to Lights upon Vehicles, giving particulars as far as possible of the points of difference therein."—(*Mr. Marnham.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Special Allowances to Assistant Clerks performing Duties of Second Division Clerks.

MR. ALDEN (Middlesex, Tottenham): To ask the Secretary to the Treasury whether he is prepared to grant special increments or allowances to assistant clerks who are shown to be employed upon the duties and to be assuming the responsibilities of second division clerks.

(*Answered by Mr. McKenna.*) It rests with the heads of departments to bring forward such cases, if they exist, and any representations by heads of departments receive the careful consideration of the Treasury; but no general undertaking can be given in the sense suggested.

British Correspondence with Foreign Countries.

MR. HENNIKER HEATON (Canterbury): To ask the Postmaster-General whether he can state the number of letters sent from this country and received from France, Germany, Austria, Holland, Belgium and United States of America, respectively, in 1875 and in 1905; and what was the rate of postage to these countries in 1875 and in 1905.

(*Answered by Mr. Sydney Buxton.*) I regret that I am unable to furnish the numbers asked for by the hon. Member for the year 1875. We have not them on record. A basis exists, however, for estimating the correspondence in the case of the continental countries mentioned for the year 1877, and in the case of the United States for the year 1881. The figures for these years, together with those for the year 1905, are embodied in the following statements. The proportion of letters and postcards included in the returns for the earlier years cannot be estimated :—

Statement showing the estimated number of Letters and Post-cards despatched to and received from the undermentioned Countries during the years 1877 and 1905, respectively.

Country.	Number of Letters and Post-cards.					
	De-patched to			Received from		
	Year 1877.	Year 1905.		Year 1877.	Year 1905.	
	Letters and Post-cards.	Letters.	Post-cards.	Letters and Post-cards.	Letters.	Post-cards.
France - - -	6,730,000	11,397,000	3,570,000	5,848,000	10,159,000	5,220,000
Germany - -	5,056,000	11,607,000	4,118,000	4,868,000	12,749,000	1,660,000
Austria - - -	573,000	1,931,000	551,000	407,000	1,069,000	378,000
Holland - - -	1,155,000	5,428,000	2,669,000	1,117,000	2,687,000	1,264,000
Belgium - - -	1,322,000	2,943,000	916,000	1,218,000	2,898,000	1,678,000

Statement showing the estimated number of Letters and Post-cards despatched to and received from the United States of America during the years 1881 and 1905 respectively.

Country.	Number of Letters and Post-cards.					
	Despatched to			Received from		
	Year 1881.	Year 1905.		Year 1881.	Year 1905.	
	Letters and Post-cards.	Letters.	Post-cards.	Letters and Post-cards.	Letters.	Post-cards.
United States - -	7,795,000	15,700,000	2,806,000	7,465,000	14,969,000	3,662,000

The rates of postage for letters from the United Kingdom to the countries referred to, in 1875 and in 1905, were as follows :—

Country.	Rate.	
	Year 1875 (January).	Year 1905.
France	3d. per ⅓ ounce	2½ per ½ ounce
Germany	3d. per ½ ounce	
Austria	3d. per ½ ounce	
Holland :		
via Belgium	3d. per ½ ounce	
via France	6d. per ⅓ ounce	
Belgium :		
Direct	3d. per ½ ounce	
via France	4d. per ½ ounce	
United States	3d. per ½ ounce	

Next Sitting at Longford of Appeal Court of Land Commission.

Mr. J. P. FARRELL (Longford, N.) : To ask the Chief Secretary to the Lord-Lieutenant of Ireland when the next Court of Land Commission for appeals will sit in Longford.

(*Answered by Mr. Bryce.*) I am informed by the Land Commission that the date of the next sitting at Longford for the hearing of appeals has not yet been arranged. There are at present only fifty-one cases of pending appeals from county Longford.

Purchase of Estates of Mr. J. M. Coyne and Mr. H. Bengham.

Mr. O'DOWD (Sligo, S.) : To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state whether any negotiations have been entered into by the Estates Commissioners with Mr. J. M. Coyne for the purchase of his estate in Erris, North Mayo, and with Mr. H. Bengham for the purchase of his property in the same barony ; and, if not, whether he will ask the Estates Commissioners to approach these landlords with a view to purchase negotiations, seeing that over two years ago these landlords expressed to representatives of their tenants their willingness to sell.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that no proceedings or negotiations for sale are pending before them in respect of the estates mentioned in the Question, and they have no information which would lead them to believe that any action of theirs as conciliators would be beneficial in these cases.

Telegraph Extension from Dring to Aghnacliffe.

Mr. J. P. FARRELL : To ask the Postmaster-General whether he is aware that the line of telegraph from Dring to Aghnacliffe is guaranteed both locally and by the Granard rural district ; and, if so, why the extension is not being pushed through.

Mr. SYDNEY BUXTON : The hon. Member is, I think, mistaken. No guarantee has yet been given for a telegraph extension to Aghnacliffe. As soon as this is forthcoming the line will at once be proceeded with.

Vaccination Exemption Certificate—Case of Mr. Walden, of Catford.

Mr. LUPTON (Lincolnshire, Sleaford) : To ask the Secretary of State for the Home Department if his attention has been called to the case of E. M. Walden, of 37, Medusa Road, Catford, who has been summoned for not vaccinating his youngest child, he having been refused an exemption certificate on two successive occasions at the Greenwich police court by Mr. Kettle and another magistrate, notwithstanding that the same court had, on two previous occasions, given him exemption certificates in the case of other children; and what steps he proposes to take to prevent the continual prosecution of conscientious objectors.

(*Answered by Mr. Secretary Gladstone.*) I have received a letter from Mr. Walden, but I regret that I have no authority to take action. The matter is one placed by statute within the discretion of the magistrate, and the only remedy for the anomalies which at present occur lies in an alteration of the law. Legislation for the purpose would be in the hands of my right hon. friend the President of the Local Government Board.

Warwickshire Police and Gipsies.

MR. PICKERSGILL (Bethnal Green, S.W.): To ask the Secretary of State for the Home Department whether his attention has been drawn to the action of the Warwickshire police in forcibly preventing some gipsies from entering Warwickshire from Leicestershire; whether he is advised that the Warwickshire police acted illegally; and what steps he proposes to take in the matter.

(*Answered by Mr. Secretary Gladstone.*) The chief constable of Warwickshire informs me that he issued instructions that the gipsies were not to be permitted to enter the county on Saturday last, and that these instructions were carried out. He does not state the grounds on which he considers that he was legally empowered to take this course, and I am not myself aware of them, but I am communicating further with him in the matter. The whole question is a very difficult one.

Brush Electrical Engineering Company and the Payment of Wages Act, 1883.

MR. T. F. RICHARDS (Wolverhampton, W.): To ask the Secretary of State for the Home Department whether his attention has been drawn to the fact that an occasional licence has been granted to the Brush Electrical Engineering Company, at premises which form part of their Falcon Works, Loughborough, for several weeks; and whether, in view of the provisions of the Payment of Wages Act, 1883, Clause 3, which prohibits the payment of wages at or within any place belonging to a public house or occupied therewith, except such wages as are paid by the resident owner, he proposes to take any action in the matter, seeing that wages are still being paid at an office or place belonging to and occupied together with the premises to which the occasional licence is being continually granted.

(*Answered by Mr. Secretary Gladstone.*) Yes, my attention has been drawn to the grant of an occasional licence for a canteen established in one part of these works for the convenience of the men employed. Whether the circumstances are such as to bring the case within the terms of the Payment of Wages in Public Houses Act is a doubtful point on which I am not prepared to express an opinion; but I understand that the point was taken before the justices who granted the licence, and that they considered, in view of the circumstances, especially the fact that the pay office was situated at least a quarter of a mile away at the other end of the works, that it could not be sustained. On the information at present before me I do not see my way to taking any action in the matter.

The Murder of Mrs. Stevens of Wadhurst —Additional Evidence.

MR. COURTHOPE (Sussex, Rye): To ask the Secretary of State for the Home Department whether his attention has been called to the statutory declarations and statements of Henry P. Lee, Mabel Hodges, Fanny E. Hemsley, and others, with reference to the murder of Mrs. Stevens at Wadhurst, on the 11th December, 1905; whether he is aware that the evidence contained in the above declarations and statements did not appear at the trial of Stevens, and that, had it appeared, the innocence of Stevens would probably have been established; and whether, having regard to this additional evidence, he will order the release of Stevens.

(*Answered by Mr. Secretary Gladstone.*) The declarations referred to were submitted to me in June last, and were very carefully considered along with all the representations made to me on the prisoner's behalf. I regret to say that I could find no reason to doubt that the prisoner was rightly convicted, and that I am unable to advise any further interference with his sentence.

Babies in Prisons—Establishment of Crêches.

MR. PICKERSGILL: To ask the Secretary of State for the Home Department whether his attention has been drawn to the Report of the medical officer of Birmingham Prison for last year, that no fewer than sixty-eight babies at the breast with their mothers were admitted to the prison during the year, and, that, in the case of these babies, the recently established crêche was found very beneficial; whether a crêche exists in other prisons which have a similar proportion of babies among their inmates; and, if not, will he consider the desirability of establishing crêches in all prisons in which a considerable number of babies are received.

(*Answered by Mr. Secretary Gladstone.*) Yes, Sir. It was decided that crêches should be established at prisons where more than fifty babies were received during the year. This has now been done at all such prisons with the exception of Manchester where the work is in progress.

Costs in Connection with Summary Conviction.

MR. PICKERSGILL: To ask the Secretary of State for the Home Department whether his attention has been called to the Report of the governor of Carnarvon Prison, to the effect that one reason why more fines are not paid after committal is the heavy charges for conveyance and the warrant; that in one case a young girl was fined 1s. for having no light on her bicycle, and finally had to pay 17s. 6d. and suffer a short imprisonment as well; and whether he will consider the whole question of costs in connection with summary convictions with a view to a radical revision of the system.

(*Answered by Mr. Secretary Gladstone.*) I have seen the Report in question, and I regret to say that other cases of a similar character from time to time come to the notice of the Home Office. Any alteration in the law would present great difficulties; but no alteration ought to be necessary, as the justices have power to remit payment of costs in all cases, and, when the fine is less than 5s., the costs cannot be imposed except by an express order of the court. The Home Office has frequently called the attention of magistrates to their powers and duties in this matter, and I will consider whether it would be useful to issue a circular on the subject.

Summary Convictions — Period of Imprisonment for Non-Payment of Fines.

MR. PICKERSGILL: To ask the Secretary of State for the Home Department whether he is aware that many benches of magistrates throughout the country in applying Section 5 of The Summary Jurisdiction Act, 1879, are in the habit of imposing automatically the maximum period of imprisonment fixed by the scale in respect of the non-payment of a fine, instead of determining the period according to the justice of the case, as the section requires; and whether, by circular or otherwise, he will call the attention of justices to the requirement of the law.

(*Answered by Mr. Secretary Gladstone.*) The Home Office for one reason or another hear of a very large number of sentences passed by Courts of Summary Jurisdiction, and though it may be true that some Courts fix the amount of imprisonment to be imposed in default of a fine in the mechanical way indicated by the hon. and learned Member, I have no ground for thinking this is generally done. I will, however, take an early opportunity of calling attention to the matter.

Cavalry in Scotland.

MR. PIRIE (Aberdeen, N.) To ask the Secretary of State for War if he can state the stations in the United Kingdom where single regiments of line cavalry are maintained, specifying those from where cavalry brigade work cannot be practised; and if he will consider the advisability of suppressing one of those stations, if necessary, so as to allow of a cavalry regiment being maintained in Scotland.

(*Answered by Mr. Secretary Haldane.*) The stations are as follows: Hounslow, Canterbury, Edinburgh and Glasgow, Norwich and Weedon, Colchester, Dublin, York, Shorncliffe. With the help of the training grant, cavalry brigade work can be arranged without much difficulty from all stations except York and Edinburgh, from which places movements by rail to manœuvring areas in the south of England are expensive, and naturally more so from Edinburgh than York.

Non-Commissioned Officers Liable to Discharge at Short Notice after Long Service.

MR. SCOTT (Ashton-under-Lyne): To ask the Secretary of State for War if he is aware of the inconvenience caused to certain Lancashire regiments of Volunteers, and the hardship caused to individuals, by the order of the 30th October, which forces the best non-commissioned officers to retire from the service in the prime of life and when they are of the greatest service to the commanding officers; and whether he will withdraw the order till he has made an inquiry and heard the views of the commanding officers of these battalions.

(*Answered by Mr. Secretary Haldane.*) Under the provisions of Section 85 of the Army Act, a soldier may be permitted to continue in the service after twenty-one years, subject to the right to claim his discharge at three months notice, This is in fact a privilege which may be withdrawn by superior authority on giving the soldier one month's notice. In the cases alluded to, the non-commissioned officers have been given five months notice, as they will not be discharged to pension until the 31st March next. And, before the order is carried out, the number of non-commissioned officers liable to be discharged under its provisions will be reported to headquarters, when due consideration will be given to special cases.

Irish Evicted Tenants—Case of Denis Looby.

MR. KENDAL O'BRIEN (Tipperary, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the claim of Denis Looby, evicted tenant, of Sandymount, Templemore, to a farm instead of his evicted farm now occupied by a new tenant, was considered in connection with the redistribution of the untenanted lands purchased by the Estates Commissioners from Mr. Downes Martin; whether he is aware that Denis Looby resides within two miles of these lands, and if his claim was not considered why was it not; and, if so, why was he passed over.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that Denis Looby's application was duly considered by them in connection with the untenanted land on the Downes Martin Estate. The Commissioners understand that Looby has been placed in his former holding as caretaker, and that it is not improbable that the landlord may sell the estate, in which case Looby may possibly be reinstated in his former holding. Having regard to these circumstances, and to the many other urgent claims for the untenanted land on the Downes Martin Estate, the Commissioners have decided not to deal with Looby's case in connection with that estate.

Cost of Extra Police at Meeting at Gortnahoe, County Tipperary.

MR. KENDAL O'BRIEN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that about 150 police in charge of the county inspector were present at a peaceful meeting at Gortnahoe, county Tipperary, on 21st October; whether an information was sworn that the meeting might lead to a breach of the peace; if so, who made the information; what is the amount of extra cost chargeable for the concentration of the constabulary at Gortnahoe, and by whom is the same payable; and whether he is aware that the meeting was called to enable the hon. Member for Mid Tipperary to address his constituents.

(*Answered by Mr. Bryce.*) I am informed that a force of seventy, not 150, police was assembled at Gortnahoe on 21st October for the purpose of preserving the peace in connection with a public meeting held there. No information was sworn in the matter. The police authorities inform me that they had reason to apprehend that a breach of the peace might be attempted, but none took place. The force was drawn from the district, and no charge falls upon local authorities. The placard convening the meeting did not announce the object of the meeting to be that mentioned in the Question, but I am informed that the hon. Member was one of the speakers.

Sale of Lord Southwell's Estate, County Limerick.

MR. O'SHAUGHNESSY (Limerick, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say when the sale of Lord Southwell's estate, in the county of Limerick, will be completed, and when the evicted tenants on it will get a grant from the Estates Commissioners.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that it is not possible at present to state when the sales on the estate in question will be completed, but in all probability it will not be before the end of next year. The Commissioners understand that two evicted tenants have been put into occupation on grazing agreements pending purchase, and they have instructed their inspector to visit the holdings and report as to the estimated price of the holdings, and as to the wants and circumstances of the evicted tenants.

Withdrawal of Salary from late Teacher of Teeagh National School.

MR. MURPHY (Kerry, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has seen the reply of the late teacher of Teeagh national school, Mr. McCurdy, relative to withdrawal of salary on the plea of inefficiency, where McCurdy emphatically denies the charge of inefficiency previous to the introduction of the new system; is he aware that the percentages quoted in that reply are very high for the nine years ending 1900; have the Commissioners any objection to give dates and substance of reprimands received by him during results period; and whether he will recommend the Commissioners of National Education to consider the case with a view to have Mr. McCurdy restored to his former position as principal teacher, or to grant him any other substantial recognition of his long services as a teacher.

(*Answered by Mr. Bryce.*) The Commissioners of National Education inform me that they have nothing to add to the reply which I gave to the Question on this subject put by the hon. Member for South Belfast on 19th July last.† The matter is entirely within the province of the Commissioners.

Straits Settlements Currency.

MR. HART-DAVIES (Hackney, N.): To ask the Under-Secretary of State for the Colonies whether his attention has been called to the hardship inflicted on the civil servants of the Straits Settlements by the fixing of the value of the dollar at 2s. 4d., whereas when the currency scheme of pay was introduced, in 1903, the dollar was worth only about 1s. 5d.: and whether he will take steps to remedy the grievances of these officers, who have thus practically suffered a diminution of their local salaries amounting to about 30 per cent.

(*Answered by Mr. Churchill.*) I understand that when the sterling scheme of salaries was introduced the average exchange value of the dollar was about 1s. 9d., but officers were already drawing compensation allowance, and this fact was taken into consideration when fixing the sterling rates. It was optional for officers either to accept these rates or to remain on their dollar salaries. The Secretary of State does not consider that the officers concerned have been affected to a degree which would make it necessary or desirable to reconsider the general rates of salary now paid.

The "Knight Commander"—Terms of Settlement.

DR. SHIPMAN (Northampton): To ask the Secretary of State for Foreign Affairs whether he can now say what are the terms of settlement between the Russian Government and the British owners of the "Knight Commander" and the other British vessels destroyed in the late Russo-Japanese War.

(*Answered by Secretary Sir Edward Grey.*) With regard to the case of the

---

† See (4) *Debates*, clxi., 376.

"Knight Commander," the Russian Government, having declined to reconsider the claim put forward on behalf of the owners and others concerned, His Majesty's Government have proposed that the case should be referred to arbitration by the International Tribunal at The Hague. The Russian Government have not yet replied to this proposal. The cases of other vessels destroyed by the Russian naval forces during the hostilities between Russia and Japan are pending before the Russian prize court. His Majesty's Government have, however, reserved the right of further diplomatic intervention if necessary, after the usual legal remedies have been exhausted by the parties concerned.

Loss of British Steamers.

MR. HAVELOCK WILSON (Middlesbrough): To ask the President of the Board of Trade whether his attention has been called to the loss of the British steamer "Baron Huntly," when bound on a voyage from a Spanish port loaded with iron ore to a port in the United Kingdom; whether the load-line mark of the "Baron Huntly," had been shifted; and, if so, to what extent; if he will state the age of the vessel "Baron Huntly"; and whether the Board of Trade intend to make inquiries into the loss of this vessel.

MR. HAVELOCK WILSON: To ask the President of the Board of Trade whether his attention has been called to the loss of the steamer "Lebanon," loaded with iron ore from a Spanish port to a port in the United Kingdom; if he can state how many inches the load-line mark of this vessel had been shifted; whether he will state the age of the "Lebanon"; and whether any inquiries are intended to be held with regard to the loss of this vessel.

MR. HAVELOCK WILSON: To ask the President of the Board of Trade whether his attention has been called to the loss of the British ship "Manningtree" in the Atlantic Ocean; and whether he has any official information showing that the disaster was owing to an alteration in the load-line to the extent of seven and a half inches; and whether he can state the age of the steamer "Manningtree"; whether he is aware that she was loaded with copper ore bound for Philadelphia; and whether he can state that the load-line of this vessel has been shifted to allow the vessel to load deeper; and whether the Board of Trade intend to hold an inquiry as to the loss of this vessel.

(*Answered by Mr. Lloyd-George.*) My attention has been called to the three cases to which the hon. Member refers, and I have ordered a formal investigation to be held in each instance. Pending the result of these inquiries I am not prepared to make any detailed statement with regard to them.

United States Import Duty on British Works of Art.

MR. LONSDALE (Armagh, Mid.): To ask the President of the Board of Trade whether he is aware that the United States levies an import duty upon British works of art, comprising paintings in oil and water colour, pastels, black and white drawings, and statuary, at the rate of 20 per cent, ad valorem, while the duty upon similar works imported into the United States from France, Germany, Italy, or Portugal, is only 15 per cent.; and whether he will take steps to induce the United States to remove a discrimination so prejudicial to British artists.

(*Answered by Mr. Lloyd-George.*) I am aware of the fact stated. Communications are passing between His Majesty's Government and the Government of the United States upon the subject.

Naval Ships' Police.

MR. BELLAIRS (Lynn Regis): To ask the Secretary to the Admiralty whether the Board have yet come to any decision on the question of placing increased reliance on the petty officers for the maintenance of discipline in the Navy, with a view to the abolition of the system of ship police.

(*Answered by Mr. Edmund Robertson.*) The matter is still under consideration.

Annual Report of Local Government Board—Expenditure on Poor Law Relief.

MR. PIKE PEASE (Darlington): To ask the President of the Local Government Board whether he is aware that the totals, in the 35th Annual Report of the Local Government Board are omitted from the first Statement of the expenditure on Poor Law relief in England and Wales, on pages 588 and 589, where they have appeared for many years; whether he can state how the totals, except for the year 1905, on page 592, are made to agree with those on pages 588 and 589; and whether his attention has been called to the discrepancy between the totals of expenditure for 1905, on pages 589 and 592.

(*Answered by Mr. John Burns.*) The total expenditure on the relief of the poor in England and Wales for each of the twenty-five years up to 1904–5, inclusive, is shown in the tables on pages 591 and 592 of the Report referred to. It was, therefore, not necessary to retain the column for "totals" in the table on pages 588 and 589. The space formerly occupied by this column has been utilised for adding particulars of the expenditure on "buildings, repairs, furniture, rent, taxes, and insurance," for those years in respect of which they can be given. As regards the latter part of the Question, the explanation is that certain expenditure which appears in the accounts of the guardians of the poor under some of the headings in the table, *e.g.*, the estimated value of the produce of a workhouse farm which is consumed in the workhouse, and is included under the head of "in-maintenance," has to be excluded in arriving at the total expenditure, because it is represented by expenditure which appears under another heading, such as the cost of working the farm, which would appear under the head of "other expenses." Deductions to avoid duplication were formerly made from separate items in the table corresponding with that on pages 588 and 589 of the last Report, and the totals of these reduced items were given in the table, but the Returns did not show precisely what deductions had been made. The present practice is to obtain Returns of the full expenditure charged to each heading, and to make the necessary deductions in the total. Hence the total expenditure for the year 1904–5 which excludes the duplicate amounts, shown in the tables on pages 591 and 592 of the Report, is not the total of the items shown in respect of that year in columns one to seven of the table on page 589.

Allowance to Widow of late Patrick McKeon, Customs Officer of Cardiff.

MR. JAMES O'KELLY (Roscommon, N.): To ask the Secretary to the Treasury whether he can state what provision has been made by the Customs authorities for the widow and six children of Mr. Patrick McKeon, whose friends reside near Boyle, county Roscommon, and who served twenty-two years in the Customs, and died last September at 162, Cyfartha Street, Roath, Cardiff.

(*Answered by Mr. McKenna.*) I am informed that Mr. Patrick McKeon, late preventive officer of Customs at Cardiff, died on the 2nd ultimo, after a service in this department of twenty-two years. His widow appealed to the Board of Customs on the 3rd instant for some pecuniary assistance, alleging that her husband's death was due to pneumonia consequent on exposure while he was on duty. Inquiries are being made into the facts of the case, but I ought to inform the hon. Member that the Superannuation Acts do not provide for the grant of assistance to the widow of a civil servant, unless the officer's death results from injuries specifically attributable to the nature of his duty.

Postal Servants and Political Meetings—Speech by Sir Robert Hunter.

MR. BERTRAM (Hertfordshire, Hitchin): To ask the Postmaster-General whether Sir Robert Hunter, as solicitor to the Post Office, rests under the disability imposed upon other civil servants of being forbidden to take an active part in politics; if so, whether the Postmaster-General's attention has been directed to a speech ascribed to Sir Robert Hunter; and whether he will draw Sir Robert Hunter's attention to the regulations governing the conduct of civil servants in such matters.

(*Answered by Mr. Sydney Buxton.*) Sir Robert Hunter's remarks, to which my attention has been drawn, were made at a drawing-room meeting held in connection with the question of woman's suffrage. The meeting was in no sense a party meeting. I am sure that Sir Robert Hunter had no intention of infringing the understanding governing the conduct of civil servants in such matters, and I do not propose, therefore, to take any action in regard to the matter.

Warwickshire Police and Foreign Gipsies.

MR. W. JOHNSON (Warwickshire, Nuneaton): To ask the Secretary of State for the Home Department, what information he has received in reference to the conflict of Saturday last, when Hungarian gipsies attempted to force an entrance into the county of Warwick, and were assisted by the Leicestershire police; is he aware that the Leicestershire police actively assisted the gipsies in trying to push the leading carts over the boundary line, and the women of the gipsy band meanwhile belaboured the Warwickshire police with hedge stakes; and what action has the Home Office taken or proposes to take at once to prevent a further breach between the county police and to avoid expense.

(*Answered by Mr. Secretary Gladstone.*) I have had reports from the two chief constables concerned, and am satisfied that the accounts of the conflict between the two forces, which seems to have been due to some misunderstanding, are exaggerated. The movements of these gipsies involve many questions of great difficulty; but I am confident that the various police forces will cordially co-operate with one another in preserving law and order. As I have already stated, the only powers which I have in the matter proceed from Section 3 of the Aliens Act and relate to such individual cases as may be certified by a court for expulsion.

Clerks to Surveyors of Taxes and Confidential Income-Tax Returns.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask Mr. Chancellor of the Exchequer whether it is possible so to arrange the business in the offices of surveyors of taxes that knowledge of the contents of people's income-tax returns and like confidential matters shall not come within the knowledge of the unestablished clerks who discharge the clerical duties in those offices; will he say whether any petition was presented by the surveyors of taxes praying that the clerks in their offices should, in the interests of the public service, be put on the establishment, and was any scheme prepared by the Chairman of the Board of Inland Revenue for the establishment of those clerks; and will he recommend the appointment of a Committee of the House to inquire into the question of putting the clerks in the surveyors' offices on the establishment, and as to the preservation of secrecy in the matter of income-tax returns.

(*Answered by Mr. McKenna.*) I am informed that it would not be practicable to ensure that under no circumstances should the unestablished clerks in surveyors' offices have access to information bearing in any way on income-tax returns, or other matters more or less confidential. But the arrangements at present made are such as to limit as far as possible such access, and there is no single case on record in which complaint has ever been substantiated that an unestablished clerk has made improper disclosures of information that has come to his knowledge in the course of his clerical duties. In 1905 the surveyors of taxes asked the Board of Inland Revenue to consider the question of employing a certain proportion of established clerks. This was done, but the Board felt unable to recommend that course. The Chairman of the Board has always been opposed to it, and has never prepared or submitted a scheme embodying it. The facts and considerations bearing on the subject are all fully known to the Board of Inland Revenue and the Treasury, and I do not think any further inquiry is required.

The Imperial Institute and the London University.

MR. HAROLD COX (Preston): To ask the Secretary of State for India whether the Indian princes and other persons who subscribed money for the building and endowment of the Imperial institute were consulted before it was decided to devote three-fifths of the building to the purposes of the London University; and whether any offer was made to refund to them the whole or a proportional part of their subscriptions.

(*Answered by Mr. Secretary Morley.*) So far as I am aware, the surviving subscribers in India were not consulted by the governing body of the Imperial Institute, within whose discretion the matter lay, nor was any offer of a refund made to them.

Remission of Penalties for Overstaying Leave.

SIR SEYMOUR KING (Hull, Central): To ask the Secretary of State for India whether he has yet received from the Government of India any information as to the desirability of assimilating the civil to the military regulations in respect of the remission of penalties for overstaying leave when the overstayal is due to delay in the arrival of a steamer.

(*Answered by Mr. Secretary Morley.*) I have received a Report on the subject from the Government of India, who are not in favour of the suggested change. I am satisfied that, while the civil rules applicable to officers over-staying their leave differ to some extent from the military rules, they are not on the whole less liberal in actual practice, and that there is ample provision for preventing any inconvenience from the particular difference to which the hon. Member has drawn attention. I therefore see no sufficient ground for differing from the Government of India in the matter.

Discharge from the Army of Harold James Carroll.

MR. BRODIE (Surrey, Reigate): To ask the Secretary of State for War whether his attention has been called to the case of Harold James Carroll, who is reported to have been dismissed from the Army because, having obtained a commission from the ranks, and having found that his pay as an officer would not cover his expenses, he resigned his commission and enlisted in the Royal Irish Dragoons; and whether, should the above report prove to be correct, and in the event of there being nothing against the character or conduct of Harold James Carroll, he will reconsider the dismissal and give him an opportunity of rejoining the Army in some capacity.

(*Answered by Mr. Secretary Haldane.*) Mr. Carroll was on leave of absence from his battalion when certain circumstances affecting his character and conduct came to notice. He was ordered to rejoin his battalion and to give an explanation regarding the above matters. He furnished no explanation, stating that he was too ill for correspondence, and a medical board gave him leave for fourteen days. On the termination of this leave, Mr. Carroll failed to rejoin his battalion though ordered to do so, and gave no explanation. After a further period of twenty-one days absence without leave, he was removed from the Army. It then transpired that he had enlisted into the Royal Irish regiment, but in view of the above circumstances it was not considered desirable that he should serve, and his discharge was accordingly authorised.

Pay of Army Officers.

MR. BRODIE: To ask the Secretary of State for War whether he is in a position to make any statement with regard to the scale of pay of officers in the Army; and whether he can give any hope of his being able to make such provision in the Army Estimates next year as will make it possible for officers to live in all cavalry and line regiments without private means.

(*Answered by Mr. Secretary Haldane.*) It is not possible for me to say more at present than that this important matter is receiving my careful consideration.

Increased Pay for Officers Serving in South Africa.

MR. BRODIE: To ask the Secretary of State for War whether he can see his way to pay officers serving in South Africa at an increased rate, seeing that the cost of living in South Africa is very much higher than in this country.

(*Answered by Mr. Secretary Haldane.*) The Colonial allowance issued to officers serving in South Africa, together with the rebate of customs duty granted to them, is considered sufficient to cover the extra cost of living in that country. No increase of the present rates of allowance is contemplated.

NOTE.—The following Questions and Answers were circulated after the rising of the House in August last.

Salving the "Montagu"—Refusal of Men to Work at Night.

MR. BOWLES (Lambeth, Norwood): To ask the Secretary to the Admiralty whether he is aware that for some days past the men belonging to Pembroke Dockyard, now employed in salving H.M.S. "Montagu," have refused to take their turn of night work at the pumps; whether on the 1st August any, and, if so, what number of these men refused to work altogether; whether this refusal has thrown extra work on the officers and bluejackets concerned in the salvage; whether this refusal has lessened the prospect of saving the vessel; and what steps he proposes to take to deal with the dockyardsmen concerned.

(Answered by Mr. Edmund Robertson.) No information to this effect has reached the Admiralty.

Return of Fleets—First Class Battleships.

MR. BELLAIRS (Lynn Regis): To ask the Secretary to the Admiralty what were the number of battleships classified in the last Return of Fleets (Great Britain and Foreign Countries) as first class battleships, which were laid down for the Navies of Great Britain, Germany, France and the United States in the quinquennial periods, 1885–9, 1890–4, 1895–9, 1900–4, inclusive of the two battleships purchased from Chili, and in a final period of 1905–7, so as to include any battleships which are intended to be laid down by the four Powers during 1906 and 1907.

(Answered by Mr. Edmund Robertson.) The information desired by the hon. Member is given in the following table.

	1885–9.	1890–4.	1895–9.	1900–4.	1905–7.
Great Britain - - -	6	15	19	13	3 laid down 3 projected
France - - - -	1	5	5	6	6
Germany - - - -	1	3	8	10	5
United States - - -	Nil	4	8	12	4

Transfers of Seamen and Stokers—Cost of New Cap Ribbons.

MR. BELLAIRS: To ask the Secretary to the Admiralty whether the Admiralty have further considered the frequency with which seamen and stokers are moved from ship to ship, so entailing on them the expense of purchasing new cap ribbons; and whether they are now prepared to issue two cap ribbons free of charge.

(Answered by Mr. Edmund Robertson.) The Question is still under consideration.

Relief of Aged Widow at Longtown, Cumberland.

MR. JOWETT (Bradford, W.) To ask the President of the Local Government Board whether his attention has been drawn to the action of the Longtown, Cumberland, Board of Guardians, who have refused to relieve an aged widow because her son, who has a wife and child to maintain on his wages of 9s. per week, should make provision for her, and because she had not sold a donkey and cart with which she occasionally earns a few shillings by carting garden produce to market, and that she still retained her furniture; whether his attention has been called to the statement of the chairman, that the Local Government Board would surcharge the guardians with the cost of any out-relief they might grant in such a case; and will he say whether this represents the practice of the Local Government Board in regard to the granting of outdoor relief.

(*Answered by Mr. John Burns.*) I have made inquiry on this subject, and am informed that the woman referred to had one son, whose wife was residing with her. The son was working on a farm where he was boarded and lodged in addition to receiving 9s. a week wages, but he spent from Saturday to Monday with her. The grounds upon which she applied for relief are stated to have been that her son's wife had recently been confined at her house. The guardians did not think this a sufficient ground for granting relief, as the husband was in work and ought, as they considered, to be able to support his wife and child without coming upon his mother. I have no information as to any statement by the chairman, but I understand that the guardians were of opinion that the case was not one which came within the regulations as to out-relief in force in the union. Where out-relief is given in any particular case it rests with the auditor in the first instance to deal with the legality of the payment made, and it would not devolve on the Local Government Board to take any action in the matter unless an appeal were made to them against his decision. In the event of such an appeal it would be necessary that the precise facts should be ascertained, before they could express an opinion as to whether the relief was legal or not.

The Transvaal Constitution—Position of Aliens.

MR. FELL (Great Yarmouth) To ask the Prime Minister what will be the position of aliens and all persons, not being British subjects, in the Transvaal with regard to the franchise under the new Constitution; and what steps will be taken to prevent all persons other than British subjects from being placed on the register.

(*Answered by Sir Henry Campbell-Bannerman.*) The franchise will be confined to British subjects only. The usual steps will be taken in the course of registration.

QUESTIONS IN THE HOUSE.

Obsolete War Vessels.

MR. WATT (Glasgow, College): I beg to ask the Secretary to the Admiralty what is to be the future of the so-called obsolete war vessels at present anchored in the Holy Loch and Kyles of Bute, in the Firth of Clyde; are they to be allowed to remain there until they rot and sink, or are they to be sold for the benefit of the nation.

THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): The larger proportion of these vessels are on the sale list, and the remainder will also be sold unless other uses are found for them.

MR. JENKINS (Chatham): Will the right hon. Gentleman consider the desirability of having these vessels broken up in His Majesty's dockyards so as to lessen the number of discharges? Would it not relieve the distress in many dockyard towns?

MR. EDMUND ROBERTSON: That matter I have already considered.

The New Home Fleet.

MR. F. E. SMITH (Liverpool, Walton): I beg to ask the Secretary to the Admiralty how many cruisers at present in full active commission are to be attached to the new Home Fleet; from what squadrons are such cruisers to be respectively drawn; and whether any such cruisers, and, if so, which, have already received instructions with a view to the proposed changes.

MR. EDMUND ROBERTSON: No definite instructions have as yet been given in regard to any of the points raised in the Question, and the Home Fleet will not be fully constituted till after the Lagos manœuvres in February.

The Portsmouth Disturbances.

MR. DALZIEL (Kirkcaldy Burghs): I beg to ask the Secretary to the Admiralty whether any, and, if so, how many, stokers who were present when the order "down on your knees" was given by Lieutenant Collard on the 4th instant, at Portsmouth, have since been ordered to join ships proceeding to sea; on what date was the order given; for what period of time is it anticipated they will be away from England; were any, and, if so, how many, informed before leaving that they were at liberty to tender evidence before the inquiry instituted by the Admiralty; how many have recently returned from abroad; and what number were entitled to a period of leave. May I also ask whether the men have been confined to their ships, and whether the right hon. Gentleman is now able to make any statement on the subject.

MR. EDMUND ROBERTSON: No men have been sent to sea in consequence of the recent disturbance at Portsmouth, and the remainder of the Question, therefore, does not arise. With reference to the supplementary Question, I would ask the leave of the House to take this opportunity of redeeming the promise I made yesterday to make a statement on behalf of the Admiralty. The Admiralty have received and considered the report of the court of inquiry appointed to investigate the recent disturbance at Portsmouth Naval Barracks, and they have decided on the following course of action:—First, the men principally implicated in the disturbance to the number of eleven will be tried by court-martial under the provisions of the Naval Discipline Act. Secondly, a court of inquiry is to be appointed to investigate the allegation made against Lieutenant Collard that on 24th November, 1905, he gave the order "On the knee" improperly. Pending the result he has been transferred from the Naval Barracks to the Gunnery School. Thirdly, when the reports of the court of inquiry and the finding of the court-martial have been received and considered by the Admiralty, an Admiralty minute will be promulgated giving the decision of the Board in regard to the conduct of all concerned and the questions arising thereon. In the meantime the Admiralty feel that to make any more definite pronouncement with regard to the action which they may subsequently find it necessary to take would be calculated to prejudice the court of inquiry and the court-martial.

MR. CATHCART WASON (Orkney and Shetland): May I ask the right hon. Gentleman how old is this order by which officers can compel men to kneel?

MR. EDMUND ROBERTSON: Any answer to that Question on my part would be apt to prejudice the course of the inquiry.

MR. DALZIEL: Will the men who are to be tried by court-martial be permitted to be represented in any way?

MR. EDMUND ROBERTSON: Oh yes; there is a legal representative who is called the prisoner's friend, and who will act as counsel.

British Indians in the Transvaal.

SIR H. COTTON (Nottingham, E.): I beg to ask the Under-Secretary of State for the Colonies whether any decision has been come to regarding the appointment of a Commission to inquire into the grievances of British Indians in the Transvaal.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N. W.): No decision has yet been arrived at in the matter.

MR. BYLES (Salford, N.): When responsible Government has been given will it not be too late? Does not the delay practically mean that the Imperial Government are drawing a colour line?

MR. CHURCHILL: I must ask for notice of that Question.

SIR H. COTTON: I beg to ask the Under-Secretary of State for the Colonies whether he can state the names and addresses of British Indians in the Transvaal who have telegraphed to the Secretary of State in favour of the Anti-Asiatic Ordinance, which is now under the consideration of the Government.

MR. CHURCHILL: The petition I have received is signed by W. Godfrey and

C. M. Pillay, apparently on behalf of 437 other British Indians who disclaim having given Mr. Gandhi any mandate to represent them in England. The petitioner represents that Mr. Gandhi is a professional political agitator whose views have been productive of harm to the Indian community. The hon. Member is at liberty to see the petition and the names at the Colonial Office.

SIR H. COTTON: May I ask whether the Secretary of State has not received other telegrams from South Africa indicating that this telegram is a spurious one, and that the signatures to it were obtained under false pretences?

MR. CHURCHILL: No, Sir. I am not aware of any such telegram.

Chinese in South Africa—Mr. Bucknill's Report.

MR. DALZIEL: I beg to ask the Under-Secretary of State for the Colonies whether, in consequence of the evidence accompanying Mr. Bucknill's Report on the conditions of Chinese labour in South Africa, any telegraphic communication has been made to the High Commissioner.

MR. CHURCHILL: Yes, Sir.

SIR GILBERT PARKER (Gravesend): Who sent this man out, with what object, and at whose cost?

MR. CHURCHILL: I must ask for notice of that.

MR. DALZIEL: I beg to ask the Under-Secretary of State for the Colonies whether any of the evidence accompanying the Report of Mr. Bucknill on the conditions prevailing in Chinese compounds in South Africa justifies in any respect the allegations as a result of which an inquiry was instituted.

MR. CHURCHILL: The Prime Minister on Wednesday last indicated that the confidential character of the Report and evidence will be preserved, and I must therefore, ask the hon. Member to permit me not to go into details.

*MR. LEHMANN (Leicestershire, Market Harborough): Will the hon. Gentleman not say in general terms what the nature of the Report and the evidence was, and what steps the Government proposes to take?

MR. CHURCHILL: It is quite impossible for me, in answer to a Question, to state in general terms the nature of an extensive Report of this character; nor could I, without full notice and full opportunity for consulting the Secretary of State, give any indication at length of the steps which are being taken, and which certainly must be vigorously taken, to improve the condition of affairs.

MR. WALSH (Lancashire, Ince): May I ask if the grave state of things now known to exist, and which as late as August last was stated by the Government to call for a reversal of policy, is now to dwindle down to a matter of administration?

AN HON. MEMBER: Is it not time the Chinese were cleared out of South Africa?

*MR. CHIOZZA MONEY (Paddington, N.): Were any of the 1,665 coolies discharged during October discharged on grounds of gross immorality, and were any of those struck off the strength by special resolution of the Executive Council discharged for the same reason?

MR. CHURCHILL: I do not know.

MR. DALZIEL: I would ask the Under-Secretary whether having regard to the fact that he made a statement to this House in connection with the appointment of this Committee, and that very serious allegations have been made with regard to administration, the Colonial Office does not think it very much concerns them to give at least a negative or affirmative Answer to the Question.

*MR. MACKARNESS (Berkshire, Newbury): When will the hon. Gentleman be able to tell the House whether the state of things has arisen, in regard to which he stated on 4th August that if it proved to be true the Government would revise their whole position in regard to the Chinese labour question, even during the short transition period before the granting of responsible government?

Mr. CHURCHILL: On questions of policy, which are matters of Cabinet decision, I must ask for fuller notice.

Mr. SWIFT MACNEILL (Donegal, S.): In reference to the secrecy of this Report, has Lord Selborne been consulted?

Mr. CHURCHILL: Yes; he has been consulted as to the steps to be taken.

Mr. SWIFT MACNEILL: Just so; hear, hear.

Mr. CHURCHILL: And he has replied in a manner which leaves no doubt as to the stringency of the measures to be taken.

Mr. J. WARD (Stoke-on-Trent): Could the Under-Secretary give us some indication of the date when he would be able to declare what the policy of the Government is relating to this Report?

Mr. LUPTON (Lincolnshire, Sleaford): Is it the intention of the Imperial Government to hand over to a new and struggling colony the settlement of a great question of public morality?

*Mr. SPEAKER: That does not arise out of the Answer to the Question on the Paper.

Mr. PICKERSGILL: I beg to ask the Prime Minister whether Mr. Bucknill, on behalf of the Government, gave assurances to any persons that the information supplied by them to him in the course of his inquiry into the condition of morality among the Chinese labourers in the Transvaal should be treated as confidential; and if so, whether the Government will publish such parts of the evidence and Report as are not covered by these assurances.

Mr. CHURCHILL: As I informed the hon. Member for the Henley Division of Oxford on Wednesday last, no publication will be made of this Report or of any part of it.

Mr. PICKERSGILL asked whether assurances were given.

Mr. CHURCHILL: Yes; I believe some assurances were given.

Mr. PICKERSGILL inquired whether Mr. Bucknill had the authority of the Government beforehand to give these assurances.

Mr. CHURCHILL: Mr. Bucknill was appointed by the Transvaal Government, and I presume that any act of his was within the scope of his authority, and that his only object was to secure the complete truth.

Central African Labour in the Transvaal Mines.

Mr. HAROLD COX (Preston): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been called to a statement in the last Report on the British Central Africa Protectorate to the effect that, after strict medical examination, 1,714 natives of British Central Africa were despatched to Johannesburg; that 165 of these men were rejected as unsuitable after further medical examination, or fell out for other causes; that, out of the remaining 1,549 who arrived at Johannesburg, 119 died in a period considerably less than twelve months; and whether, in view of this mortality, His Majesty's Government will either forbid any further recruiting in British Central Africa for work in the Transvaal mines, or insist on greater precautions being taken by the mine owners for the preservation of the health of their employees.

Mr. CHURCHILL: I have seen the statements referred to. The Secretary of State has, after full consideration, finally decided that further recruiting from the districts of the British Central Africa Protectorate which shows the highest rate of mortality should be forbidden, and also that no recruiting shall take place for underground work in the mines; but, subject to these and other conditions, he has sanctioned, as a further experiment during the present season, the recruitment of a certain number for surface work only. Up to 500 will be permitted to be recruited for surface work on the Premier Diamond Mine, and up to 500 for surface work on the gold mines.

Sir GILBERT PARKER: Is it not the fact that even when working upon the surface these natives suffer a high mortality, and will not the Government absolutely prohibit the recruiting for the mines from British Central Africa?

MR. CHURCHILL: It is quite certain that a number of these natives will in any case find their way into the mines. The whole question was most carefully considered during last year, and the decision we arrived at was that, for surface work only, and in districts where the mortality was not unduly high, there should be a certain amount of recruitment.

SIR GILBERT PARKER: But immediately on arrival is there not at once pulmonary complaint and disease and death amongst these natives? In view of that, will not the Government reconsider the position it has taken up and forbid all recruiting of Central Africa natives?

MR. HAROLD COX: Might I ask the hon Gentleman to answer the last paragraph of my Question?

MR. CHURCHILL: We are insisting upon the fulfilment of a most elaborate scheme of reforms in the interest of the health of these natives.

MR. DAVID MACIVER (Liverpool, Kirkdale): Is it not solely a question of climate?

MR. CHURCHILL: No, Sir, some of the natives appear to do well.

Number of Chinese in South African Mines.

MR. DALZIEL: I beg to ask the Under-Secretary of State for the Colonies whether he can state the exact number of Chinese employed in the mines in South Africa at the end of November of last year and the number employed at the present time.

MR. CHURCHILL: The number of men employed on 30th November 1905, was 45,856. The number employed on 30th September (the latest date for which I have official figures) was 53,430.

Management of Rand Mines—Chinese Complaints.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Under-Secretary of State for the Colonies with reference to the alteration in practice under which Chinese labourers in the Rand mines are now required to address their complaints in the first instance to the manager of the mine, whether his attention has been called to the statement in the letter of Mr. Jamieson, superintendent of foreign labour, dated 4th September, 1905, that the interests of justice would not be served were the Chinese labourers' opportunities of obtaining redress, in the first instance, limited to an appeal to the mine manager; whether Mr. Jamieson was consulted before the change was made; whether the Special Committee on the Control of Chinese Labourers, which reported so recently as the 2nd May last, recommended that this change should be made; whether the Special Committee had before them Major Bagot's memorandum, which strongly objected to the then existing practice; whether the Labour Ordinance and especially Regulation 41, has been in any way altered; and whether the Government propose to acquiesce in the change of practice.

MR. CHURCHILL: The letter of Mr. Jameson of 4th December, to which the hon. Member refers, was alluded to by me in my previous Answer to the hon. Member on Monday last,[†] and I am not aware that the statement quoted conflicts with the existing practice in accordance with which the labourers are at liberty to make use of locked petition boxes for their complaints. The special Committee made no actual recommendation on the subject, but commented on the fact that on some of the mines the complaints and grievances of the labourers are not received and given heed to by the management, and implied that the management in such mines was remiss in the matter. It is not clear to the Secretary of State that there has been anything amounting to a change of practice, and the action of the mine manager appears to be really a facility in addition to and not in substitution for that of the inspector. The Secretary of State has no reason to suppose that the existing practice invalidates or derogates from the right of the labourer under Regulation 41 to obtain a permit for the purpose of making a complaint to the superintendent. If the hon. Member has any specific information on which he founds his Question, and will furnish me with it, the Secretary of State will make further inquiry into the matter.

[†] See (4) *Debates*, clxiv., 1042.

The New Hebrides.

SIR GILBERT PARKER: I beg to ask the Prime Minister whether the Commonwealth Government will have a consultative voice in the appointment of new officials contemplated by the Anglo-French agreement with respect to the New Hebrides.

MR. CHURCHILL: If the Commonwealth Government desire to recommend any candidates for appointment to any of the new offices to be created in the New Hebrides, such recommendations will, of course, be carefully considered by the Secretary of State.

SIR GILBERT PARKER: Will the Commonwealth Government be called into consultation before any appointments are made?

MR. CHURCHILL was understood to answer that their views would receive consideration.

Gambling in the Malay States.

MR. BYLES: I beg to ask the Under-Secretary of State for the Colonies whether the revenues of the Government of the Federated Malay States are partially derived from the profits of the gambling houses there carried on under Government licences; and, if so, whether there is any other part of the King's dominions in which a like state of things exists.

MR. CHURCHILL: The Answer to the first part of the Question is in the affirmative. So far as I am informed no similar system exists in His Majesty's dominions. The Federated Malay States, as my hon. friend is no doubt aware, are native States under our protection.

Ceylon Company of Pearl Fishers.

SIR J. JARDINE (Roxburghshire): I beg to ask the Under-Secretary of State for the Colonies whether the Ceylon Company of Pearl Fishers, Limited, has furnished the Colonial Office with its statements of account for its first financial year, namely, from 3rd March 1906 to 30th June last, being 119 days, for which period a dividend of 9d. was declared on the 1s. shares; and whether, having regard to the statements of Sir Joseph West Ridgeway, as chairman, at the annual meeting on the 6th November, as to higher dividends being distributed in future years, he will state if the contract with the Ceylon Government contains any provision for profits above a stipulated maximum being shared with the Colony.

MR. CHURCHILL: Copies of the Director's Report have been furnished to the Colonial Office. The Answer to the second Question is in the negative.

Turkish Customs.

MR. LYNCH (Yorkshire, W.R., Ripon): I beg to ask the Secretary of State for Foreign Affairs whether His Majesty's Government, before ratifying any agreement with the Porte for an increase in the Turkish Customs duties, would give a day for a discussion on the subject in the House; and when they would lay upon the Table Papers dealing with the subject.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. RUNCIMAN, Dewsbury, for Sir EDWARD GREY): When a decision has been reached upon the subject in question, Papers will be laid. But they cannot be laid while negotiations are still in progress. After a decision has been come to, it will of course be possible to discuss it on any of the usual opportunities. But the matter is not one which would require ratification.

Macedonia.

MR. REES (Montgomery Boroughs): I beg to ask the Secretary of State for Foreign Affairs whether His Majesty's Government, before agreeing to an increase in the duties levied upon British and Indian goods imported into Turkey, in order that such increased revenue may be devoted to the better administration of Macedonia, will take steps to ensure that the revenues at present employed by the Turkish Government to defray expenditure in Macedonia are not to be diverted to other objects, so as to liberate funds for purposes in no way connected with the better government of Macedonia, or with any British interest.

MR. RUNCIMAN: The expenditure in Macedonia is already considerably in excess of the revenues which are available, consequently His Majesty's Government see no reason to anticipate that the proposed increase of the Turkish Customs duties will set free for other purposes revenues at present employed to defray expenditure in Macedonia.

Board of Trade Tapeholders.

MR. H. J. CRAIG (Tynemouth): I beg to ask the President of the Board of Trade whether he is aware that the shipwrights employed by the Board of Trade as tapeholders, at a weekly wage of 27s., do not become eligible to receive pension in their old age; and whether he can state on what grounds this particular class of public servant is excluded from a benefit so generally extended to those who grow old in the service of the State.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. LLOYD-GEORGE, Carnarvon Boroughs): The weekly wage of the Board of Trade tapeholders rises to 28s., and uniform is provided. These men are engaged on the distinct understanding that they are not entitled to a pension, and their wages are fixed accordingly. Non-pensionable employment under the State is by no means so rare as my hon. friend appears to think.

MR. JENKINS: If it is a necessary qualification for these men that they should be shipwrights, will the right hon. Gentleman see that they are paid the wages current in that industry?

MR. LLOYD-GEORGE: I will look into that matter.

Port of Boston By-Laws.

MR. JOYCE (Limerick): I beg to ask the President of the Board of Trade whether he is aware that the Pilot Commissioners for the port of Boston have passed a resolution, by a majority of three, proposing to alter the pilotage by-laws so as to enable them to reduce the earnings of the pilots to an unlimited extent, the proposed new by-law giving the Commissioners absolute power from time to time to make reductions of such amount as they may decide in the rates payable by steamers trading to the port twelve times a year, or such other number of times as the Commissioners may fix; and whether, seeing that this is an entirely new departure as regards pilotage rates, and in view of the fact that the labour and responsibility are the same on all occasions when a pilot is performing his duties, the Board of Trade will veto the application made by the Boston Pilot Trust for an Order in Council to approve such proposed new by-law.

MR. LLOYD-GEORGE: The Boston Pilot Commissioners have applied for an Order in Council to confirm a new by-law they have recently made amending the existing by-law which deals with the rates of pilotage at that port and the Board of Trade have given directions for the application to be advertised. Any objections that may be received will be carefully considered before any decision is come to as to the submission of the by-law to His Majesty for confirmation. I cannot say by what majority the new by-law was passed, but the Commissioners have authority under Section 582 (6) of the Merchant Shipping Act, 1894, to make by-laws altering the mode of remuneration of pilots in such manner as they think fit, such by-laws being subject to confirmation by Order in Council.

MR. JOYCE: Will the right hon. Gentleman give his serious attention to the dangerous precedent thus being set not only in Boston but in all parts of the United Kingdom?

MR. LLOYD-GEORGE: Any objections received will, of course, be considered by the Board of Trade.

School Children and the Union Jack.

SIR HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Education if he is aware that by the federal laws of the Republics of the United States and France respect for the national flag is taught to every elementary scholar by the compulsory hoisting of the national emblem over, or in front of, every schoolhouse, receiving State aid; and if, having regard to the adoption of this regulation by the Premier and Government of Greater Britain in Manitoba, he will cause such a provision to be added to the Education Bill now before Parliament with respect to the Union Jack bearing the crosses of St. George, St. Andrew, and St. Patrick.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. BIRRELL, Bristol, N.): With all respect to the Governments of the United States, of France, and of the province of Manitoba, who doubtless are the best judges of what is desirable for their respective countries, I do not think that the patriotism of England and Wales needs to be manufactured nor would be promoted by the compulsory imposition of any particular ritual in connection with flag waving at all State-aided schools, as proposed by the hon. and gallant Member. Any such plan is within the competency of all local education authorities wherever and in so far as they may think it desirable, and I am not prepared to suggest putting an obligation on them in this respect by special legislation.

SIR HOWARD VINCENT: Will the right hon. Gentleman accept an Amendment to the Education Bill when it comes back?

[No Answer was returned.]

Rifle Clubs for School Boys.

SIR HOWARD VINCENT: I beg to ask the President of the Board of Education if his attention has been directed to the excellent results to character, intelligence, and physique attending the rifle exercises of the shooting club of the London School Guild organised by Dr. R. J. E. Hanson; and if, having regard to the rapid extension of the cadet movement in Canada and Australia, in Natal and New Zealand, as also in America, he will enable the British boys to keep pace with their comrades in the Colonies by authorising the formation of such clubs in the schools under his control, subject always to the written consent of the father or mother to their sons learning the use of the miniature rifle and to shoot under proper supervision at the range for badges and prizes.

MR. BIRRELL: As regards the teaching of rifle shooting during school hours at our public elementary schools, and as an integral part of the public elementary school curriculum, I have nothing to add to the very full Answer which I gave on the subject on October 29th last.† My attention has been drawn to the school guild referred to in the Question; but, so far as I understand, the shooting clubs which it organises operate wholly outside school hours and are not part of the public elementary schools as such at all. The formation of such clubs needs no authorisation from me, as the Question of the hon Member would seem to suggest; and as this is a free country, such fathers and mothers as desire it are quite free to permit their boys to join such clubs and to take part in all such activities as these clubs may organise in the direction referred to in the Question, provided it does not trench upon school hours. These are already all too short to secure that general education which is now the birthright of every British boy.

SIR HOWARD VINCENT: May I ask the right hon Gentleman whether he is aware that 97 per cent. of the schools in the London School Guild gave their consent most readily?

MR. BIRRELL: Then I do not see what the hon. Gentleman is complaining of.

MR. SWIFT MACNEILL: Is the right hon. Gentleman aware that Irish boys are not allowed to be trained in rifle shooting, in a free country, with equal laws?

MR. BIRRELL: England and Wales are quite enough for me.

MR. SWIFT MACNEILL: And Ireland is enough for us.

Five Year-old School Children.

MR. ASHLEY (Lancashire, Blackpool): I beg to ask the President of the Board of Education whether his attention has been drawn to the opinion of the Inter-Departmental Committee on Physical Deterioration that the attendance of children under five years of age at school should be discouraged, and whether, in view of this recommendation, he will reconsider his decision and reissue last year's letter of the Board of Education refusing to pay grants for children under five years of age attending public elementary schools.

MR. BIRRELL: I have nothing to add to the Answer which I gave to a similar Question asked by the hon. Member for Preston on October 29th,‡ and I am not prepared to re-consider the question of withdrawing grants in respect of children under five years of age attending public elementary schools.

---

† See (4) *Debates,* clxiii., 705–707.

‡ See (4) *Debates,* clxiii., 703–704,

MR. HAROLD COX: Is the right hon. Gentleman willing to give a Return showing how much of the Parliamentary Grant is paid in respect of children under five?

MR. BIRRELL: I will consider that.

Board of Agriculture Inspectors and the Welsh Language.

MR. REES: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether the Government inspector, recently sent to Montgomeryshire to report upon sheep dipping, was acquainted with Welsh, in many cases the sole, and in most cases the chief, language of the hill farmers.

SIR EDWARD STRACHEY (Somersetshire, S.): The inspector to whom my hon. friend refers is not acquainted with the Welsh language, but he informs me that no difficulty arose in consequence. Our inspectors are always able to rely on the assistance of the local police, and it is only in exceptional cases that persons with whom they are brought in contact are unable to speak or understand English.

West Riding Judgment Appeal.

MR. ASHLEY: I beg to ask Mr. Attorney-General if he can state when the case of Rex *v.* West Riding of Yorkshire is likely to come before the House of Lords.

THE ATTORNEY-GENERAL (Sir JOHN WALTON (Leeds, S.) said application would, he understood, be made to the House of Lords next week to fix a day for the hearing of the appeal, "Rex *v.* West Riding of Yorkshire." He could not say approximately when the appeal would be taken. That was the matter which the House of Lords would have to consider.

Small Debt Collections.

MR. BYLES: I beg to ask Mr. Attorney-General whether the attention of the Lord Chancellor has been drawn by responsible persons to the fact that at Bow County Court alone over 1,000 summonses had been proved during the present year by a debt collector, most of the debts being too small to render it worth the creditor's while to attend in person, or to employ a solicitor; and will the influence of the law officers be exerted to prevent committals to prison in such cases.

SIR JOHN WALTON: The matter has been brought under the notice of the Lord Chancellor and will receive his attention.

Local Taxation Accounts.

MR. FLYNN (Cork, N.): I beg to ask the Secretary to the Treasury in what proportions the sum of £9,901,290, amount of public revenue (1905–6), not paid into His Majesty's Exchequer (*vide* Parliamentary Paper, No. 334, session 1906) is paid to the Local Taxation Accounts of England, Scotland, and Ireland respectively.

MR. RUNCIMAN (for Mr. MCKENNA): The hon. Member will find the Answer to his Question on page 107 of the Current Finance Accounts, viz., England, £8,480,644 10s. 6d.; Scotland, £1,034,267 13s. 1d.; Ireland, £386,377 18s. 9d. The hon. Member will also observe that, as shewn on the same page, the chief payments to the Local Taxaton (Ireland) Account are made out of the Consolidated Fund, and not out of the assigned revenues referred to in the Return which he quotes.

Aignish Crofter Settlement.

MR. MORTON (Sutherland): On behalf of the hon. Member for Ross and Cromarty, I beg to ask the Secretary for Scotland, seeing that the plans and specifications for the thirty-two houses forming the Congested Districts Board's crofter settlement at Aignish, Island of Lewis, make no provision for conveniences, will he state whether the Board have yet considered the expediency of having conveniences provided for these houses.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): I have nothing to add to the reply given to the hon. Member on the 5th November.†

---

† See (4) *Debates*, clxiv. 133.

Barlinnie Prison, Glasgow.

Mr. WATT: I beg to ask the Secretary for Scotland whether he is aware that between 4th September and 10th October (both inclusive) there were on twenty occasions more prisoners in Barlinnie Prison, Glasgow, than there are cells, thus necessitating overcrowding in that prison; and whether, seeing that overcrowding is a criminal offence in Glasgow, he will on that account see that in future any overcrowding that is necessary is done in Perth Prison instead, to which prison, the regulations state, any excess of prisoners ought to be removed.

Mr. SINCLAIR: The fact is as stated, but it should be added that some of the cells are "association cells" and that there is a large hospital ward which was more or less fully occupied during the period referred to. The Prison Commissioners are unaware that there is any regulation stating that excess of prisoners in Barlinnie Prison should be moved to Perth Prison in particular, but, as a matter of fact, 749 prisoners have been transferred to Perth Prison this year already from Glasgow and Edinburgh.

Trawling in Broad Bay.

Mr. MORTON: On behalf of the hon. Member for Ross and Cromarty, I beg to ask the Secretary for Scotland, in view of the fact that a number of trawlers were recently seen at work in Broad Bay, will he state the name of the Scottish Fishery Board cruiser detailed to protect the district from the depredations of illegal trawling; and why she allows illegal trawling to be practised with impunity in the bay, especially during Saturday and Sunday nights.

Mr. SINCLAIR: The last information received by the Fishery Board as to alleged illegal trawling in Broad Bay was on 1st August. The north-western coast of Scotland is patrolled by different cruisers; the exigencies of the marine service determining what particular cruiser shall be detailed for the duty. Illegal trawling, when detected and proved, is punished.

Fishery Protection on the Sutherlandshire Coast.

Mr. MORTON: I beg to ask the Secretary for Scotland whether he will produce for inspection the log-books of the fishery cruisers which are supposed to patrol the sea on the Sutherlandshire coasts to prevent illegal trawling, so that Members of this House may see how their duties are carried out.

Mr. SINCLAIR: No, Sir. But I shall be glad to consider any complaint which my hon. friend lays before me.

Mr. MORTON: Why cannot we see the log-books?

Mr. SINCLAIR: If the hon. Member has any charge to lay with regard to the administration of the Fishery Board perhaps he will make it to me. I am responsible to the House in the matter.

Mr. MORTON: I cannot do that until I see the log-books.

Ardarroch Pier.

Mr. MORTON: On behalf of the hon. Member for Ross and Cromarty, I beg to ask the Secretary for Scotland if he will state whether the Fishery Board have yet received an application for a grant towards the cost of a pier at Ardarroch, Kishorn, Ross-shire; and, if so, have the Board yet considered the application.

Mr. SINCLAIR: The Board have not yet received such an application.

Failure of the Ross-shire Herring Fishery.

Mr. MORTON: On behalf of the hon. Member for Ross and Cromarty, I beg to ask the Secretary for Scotland if he will state how much of the £200,000 provided for the purposes of the Unemployed Workmen Act in the United Kingdom has been allocated to Scotland; and, in view of the failure of the herring fishing in the Island of Lewis and the western mainland of Ross-shire, will he state whether the Ross and Cromarty County Council have yet taken action under the terms of the Act.

Mr. SINCLAIR: I am not yet in a position to state what sum will be allocated to Scotland. The Ross-shire County Council have not so far taken action under the Act.

Murray's Close, Stornoway.

Mr. MORTON: On behalf of the hon. Member for Ross and Cromarty, I beg to ask the Secretary for Scotland if he will state how may paupers are lodged in the insanitary slum property known as Murray's Close, Stornoway.

Mr. SINCLAIR: The following is a Report from the sanitary authority received on Saturday: "The sanitary inspector has visited Murray's Close or Court, Stornoway, regularly twice a week since his appointment last June, and also to-day and considers all dwellings in it quite sanitary, but would suggest that stable at top of court be closed." The number of paupers who reside there is three.

Stornoway Inspector of the Poor.

Mr. MORTON: On behalf of the hon. Member for Ross and Cromarty, I beg to ask the Secretary for Scotland if he will state why the inspector of the poor for the Stornoway parish fails to call on paupers periodically in accordance with the terms of the regulations.

Mr. SINCLAIR: I am not aware that there is any such failure of duty on the part of the inspector as is alleged by the hon. Member; should any specific cases be brought under the notice of the Local Government Board they will make inquiries into them. At present, however, the inspector is in ill-health and has had temporary leave of absence, satisfactory arrangements having been made for the discharge of his duties.

Lighthouse Keepers and Illegal Trawling.

Mr. MORTON: I beg to ask the Secretary for Scotland whether he will arrange that lighthouse keepers who have been instructed to take the numbers of trawlers engaged in illegal trawling, shall be allowed to attend and give evidence at the trial or trials of the offenders whose numbers they have taken; will he state why the Northern Lights Commissioners refuse to allow the lightkeepers to give evidence; and will he explain why the numbers are taken if the important (and often only) evidence is kept from the court at the trial.

Mr. SINCLAIR: Such arrangements as my hon. friend desires, so far as consistent with the efficiency of the lighthouse service, have already been made by the Northern Lights Commissioners and the help of their staff is given subject to conditions necessary in the interest of that service, viz., that not more than one keeper of a lighthouse shall be absent at any one time—and in the case of certain remote stations, from which an absence of at least five nights would be entailed, keepers shall not be called upon to leave their stations and give evidence in court.

Mr. MORTON: But will keepers which take the numbers of the trawlers be allowed to give evidence?

Mr. SINCLAIR: Yes, if the conditions are favourable to their getting away.

Scottish Law Courts.

Mr. C. E. PRICE (Edinburgh, Central): I beg to ask the First Commissioner of Works whether he has, as promised, visited the Scottish Law Courts in Edinburgh; and whether he is now prepared to recommend such alterations as will remedy their present unsatisfactory condition.

Mr. RUNCIMAN (for Mr. Harcourt): The First Commissioner paid his promised visit to the Scottish Law Courts during the recess, and hopes to be able in due course to propose a plan which shall be found adequate and satisfactory.

Mr. C. E. PRICE: Will the First Commissioner submit any new plans to the Faculty of Advocates before coming to a final decision?

Mr. RUNCIMAN: This matter is having the personal attention of my right hon. friend, and I am sure any matters which may be represented to him will receive every consideration.

Untenanted Land in Westmeath.

Mr. GINNELL (Westmeath, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on the distribution of certain untenanted land in Westmeath, the Estates Commissioners gave the largest parcel of it to a herd, who, instead of making it a residential holding, let it to a grazier and went to practice herding elsewhere, and that the annuities are being paid with the grazier's money through the hands of this herd; whether the Commissioners now propose to give the largest parcel, seventy-five acres, on another estate to another herd to be worked and paid for in like manner; and whether, in view of the intentions of Parliament and of the present Government, the number of people in real need of residential holdings, and the difficulty of finding sufficient land for them, he will have effective measures promptly taken to prevent such disposal of untenanted land.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.): The Estates Commissioners understand that the first part of the Question refers to the Maher estate, county Westmeath, the largest parcel upon which was, they inform me, sold to a man named Gilsenan. The Commissioners are not aware whether this man is residing on the holding, or with what moneys the annuity is paid. The second part of the Question is understood to refer to the Rotherham estate, county Meath. The Commissioners have not yet acquired this property, or selected the purchasers for parcels of it. The question of purchase is under the Commissioners' consideration. I cannot within the limits of an Answer discuss the powers of the Commissioners in relation to the sale and purchase of untenanted land nor the difficulties which surround them, but everyone knows that they endeavour to turn their powers to account for the purpose of obtaining untenanted land for distribution.

Kanturk Cabinet Industry.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Department of Agriculture and Technical Instruction has received a communication from the Kanturk United Trades and Industrial Association, asking for the help and co-operation of the Department towards the formation of the cabinet industry in the district, by supplying plant and competent instructors; is the Department aware that a representative public meeting in favour of the project was held in Kanturk on the 1st instant; and whether, in view of the promised local co-operation and the need for increased employment in the locality, the Department will favourably consider the application.

MR. BRYCE: The reply to the earlier part of the Question is in the affirmative. The Department of Agriculture and Technical Instruction will carefully consider any proposals which may be submitted through the Technical Instruction Committee of the county of Cork with a view to making provision under the county scheme for instruction in cabinet-making at Kanturk, but the Department are unable to make a direct grant for the purpose in question.

MR. FLYNN: Then in the first place, application must be made to the county committee?

MR. BRYCE: Yes, that is so.

Untenanted Lands and Allotments.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether when a district council has acquired untenanted land for the purpose of the Labourers Acts, it may, while employment is irregular, pending the breaking up of large grass tracts into residential farms, let portions of such land temporarily, at the discretion of the council, to occupiers of cottages for tillage purposes in addition to that permanently attached to the cottages; and, if so, will councils be informed that this may be done.

MR. BRYCE: I presume that the Question relates to cases in which district councils may obtain advances from the Irish Land Commission for the purchase of lands to be held by them as trustees for the purposes of the Labourers Acts. I am informed that no case of this kind has yet arisen, but when it does, arrangements will, no doubt, be made for applying to the best advantage the land so held pending its being regularly allocated or partitioned out for cottages and allotments or allotments only, as the case may be, under the Labourers Acts. If there are labourers in any such locality who have not already been provided with cottages or plots under the Labourers Acts, it seems to the Local Government Board to be desirable that they should have the preference in the matter of the temporary use of the lands rather than occupiers of cottages so provided. The Local Government Board do not consider it necessary to address the councils on the subject, but each case will be considered as it arises.

MR. GINNELL: Then the Local Government Board would not regard the temporary letting as illegal?

*MR. BRYCE: No; but we think those who have land are less entitled to the privilege than those who have none.

Provision for Evicted Tenants.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, have the Estates Commissioners, in view of the difficulty of acquiring untenanted land and the urgent need of it for the use of evicted tenants and relief of congestion, invited all appearing on the Parliamentary Return as owners of untenanted and non-residential land to enter into negotiations for the sale of it; if so, what was the date of the communication; what is the aggregate quantity of untenanted land with reference to the sale of which favourable replies have been received by the Commissioners; and, in view of the inadequacy of that quantity and the continued hardship to the persons and families in need, what special action, if any, does he propose to take to prevent another letting of untenanted land for eleven months and bring it into the market within the current six months.

MR. BRYCE: The Estates Commissioners inform me that they are at present conducting inquiries with a view to procuring untenanted land suitable for the reinstatement of evicted tenants and for other purposes, but they are not yet in a position to state the result of their inquiries. As to the acquisition of land for the relief of congestion, I would remind the hon. Member that a Royal Commission is at present sitting with the main object of inquiring into this precise question.

Company-Owned Estates.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware of the number of estates in Ireland which have partially lost the character of private property by ceasing to be the property of individual owners and becoming that of insurance companies, or other groups or bodies of non-resident speculators, with no interest in the tenants beyond the amount of money to be extracted from them; and if he contemplates the early provision of any special method, administrative or legislative, for bringing such property into the market for the benefit of the people on it and of the country generally.

MR. BRYCE: The Estates Commissioners inform me that they have no knowledge of the number of estates which belong to the classes of owners mentioned in the Question, and have no reason to believe that such owners are less willing to sell than other owners. As regards possible future legislation, I can make no statement at present.

Royal Irish Constabulary--Promotion for Secret Service.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, is promotion for secret services still practised in the Royal Irish Constabulary Force; for what services has Constable Scott, of Mullingar, been promoted in preference to many senior constables of better record; is he aware that the magistrates acting in the district have always felt obliged to disregard Scott's evidence, frequently reprimanded Scott from the bench for attempting to mislead them, that within a month preceding the promotion they required the county inspector to attend in the magistrates' room to hear and convey to Scott the dissatisfaction of the magistrates, and that the magistrates regard the promotion as an insult to themselves; is he aware that County Inspector Ruthven did not report these facts to the Inspector-General, but suppressed them and obtained Scott's promotion immediately before retiring himself on pension; will the opinion of the magistrates and of the present county and district inspectors regarding this promotion be ascertained; and will Ruthven's Report, Ruthven's pension, and Scott's promotion be reconsidered.

MR. BRYCE: I am informed by the Inspector-General that Constable Scott was not promoted for secret services. He was promoted to the rank of acting sergeant by the Inspector-General in the ordinary way, as being the senior of the constables recommended by the local officers for promotion. The constable has had nearly twenty-one years' service, and has a clear record. It is, I am informed, not the case that the constable has been reprimanded by the magistrates, or that the magistrates have conveyed to the county inspector their dissatisfaction with Scott. County Inspector Ruthven had retired from the force before the promotion of Scott took place. His present county inspector and district inspector have expressed their concurrence as to his fitness for promotion, and the Inspector-General understands that there is no foundation for the suggestion that the magistrates generally are dissatisfied with the promotion. The Inspector-General sees no reason for reconsidering the question of the constable's promotion.

MR. GINNELL: Is the right hon. Gentleman aware that three of the magistrates who inquired into the conduct of this man are prepared to give their opinion of him if asked to do so?

MR. BRYCE: I have not heard that even if it be so.

Limerick Conservators' Auditors.

MR. JOYCE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the auditors appointed by the Limerick Board of Conservators are members of that Board; and what action, if any, is intended to be taken with a view to securing a real check on the working of the Board, or the way in which the money is spent.

MR. BRYCE: I am informed that the present auditor of the accounts of the Limerick Board of Conservators is not, and never has been, a member of that Board. The Department of Agriculture have no reason to suppose that the audit is not satisfactorily performed.

MR. JOYCE: Who is the auditor?

MR. BRYCE: I believe it is Mr. H. J. Greenane.

Irish Teachers' Grievance.

MR. DILLON (Mayo, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the series of great meetings which have recently been held in Ireland in connection with the grievances of the teachers in Irish primary schools, the withdrawal of the fees for Irish as an extra subject, and generally with the irresponsible and unpopular body now controlling primary education in Ireland; and, if so, what steps the Government propose to take to meet the demands formulated at these meetings.

MR. BRYCE: The attention of the Irish Government has been called to the meetings referred to in the Question. I have repeatedly stated that the whole condition of primary education in Ireland is, in my opinion, far from satisfactory, but I cannot at this moment state the measures that are required to cure its deficiencies. These would require great consideration. Some of them would excite great differences of opinion in Ireland itself, and with the difficulties of dealing in this House with matters which excite such differences long experience has made us familiar.

MR. DILLON: Has the right hon. Gentleman considered the question of the teachers' salaries, and whether provision in the Estimates of next year to increase the teachers' salaries to a living wage would cause any difference of opinion in Ireland?

MR. BRYCE: No, Sir. I think that is a point upon which general agreement would probably exist. That question is being considered, and we are expecting proposals from the National Board on the subject.

Coalisland Assault.

MR. MOONEY (Newry): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if his attention has been called to the fact that at the recent Dungannon petty sessions John Cardwell, a member of an Orange drumming party, was charged with assaulting Constable Samuel Bell, of the Royal Irish Constabulary, Coalisland, in the execution of his duty on 14th October, and that the defendant was fined 5s. and costs; is he aware that the chairman of the bench stated that the constable should be reported for pressing the case; and whether he will make inquiries as to the action of the chairman in connection with this case.

MR. BRYCE: I am informed by the police authorities that the fact is as stated in the first part of the Question. It is, however, not the fact that the chairman of the bench stated that the constable should be reported for pressing the case.

MR. MOONEY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if his attention has been called to the fact that on the night of 3rd November an Orange drumming party from Killyman paraded the town of Coalisland, county Tyrone, and attacked Mr. James Harkin, R.D.C., who was rendered unconscious with the result that three of his teeth were loosened, his lips severely cut, and he has since been confined to bed; is he aware that no arrests have been made of any of the members of this party who took part in the attack and created a disturbance by using party cries; is he further aware that last year Mr. Harkin's premises were wrecked by an Orange mob and his wife received such injuries and shock that she died a short time afterwards, and that the Orangemen have threatened to do Mr. Harkin violence; that on 29th July last Father MacBride, C.C. Pomeroy, was attacked by an Orange mob while driving through New Mills and stoned for a considerable distance, his trap being injured, and two gentlemen who were cycling with him were also stoned; that Father MacBride and Mr. Falls were awarded damages for criminal injury to their car and bicycle, respectively, at the recent Dungannon quarter sessions; is he aware that crowds of Orange rowdies are allowed to congregate both in Coalisland and New Mills and that no attempt is made by the police to disperse them; and will he state what action he intends to take in the matter.

MR. T. L. CORBETT (Down, N.): Is the right hon. Gentleman aware that this loyal Orange band had left Coalisland half an hour before this occurrence, and that the injuries were inflicted on this unfortunate man by Nationalist rowdies who were the worse for drink?

MR. BRYCE: I do not know whether the Orange band is loyal or not. I am informed by the police authorities that on the night of 3rd November an Orange drumming party from the Bush, not Killyman, visited Coalisland, but did not parade the town. Mr. Harkin reported that on that evening he was assaulted at his back gate by five or six men who proclaimed themselves as Killyman heroes. Mr. Harkin believes that he would be able to identify his assailants, but the police have not so far succeeded in procuring information which would justify them in making arrests. It is, I am informed, hardly correct to say that Mr. Harkin's premises were wrecked last year. On 3rd July, 1905, several panes of glass were broken in his licensed premises, and Mrs. Harkin, who was ill at the time, died shortly afterwards. It is the fact that on 29th July the Rev. Mr. MacBride and others were attacked with stones when passing through NewMills, and that Father MacBride and Mr. Falls were awarded compensation as stated. As regards the concluding inquiry of the Question, I am informed that the local police use their best endeavours to preserve the peace between the rival parties in the neighbourhood of Coalisland where, unfortunately, party feeling is rather accentuated. There is, I am informed, no foundation for the suggestion that one party, rather than the other, is favoured by the police. The Irish Government is watchful to secure the absolute impartiality of the police.

MR. T. L. CORBETT: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has any police report showing that James Harkin, who was attached on the 3rd November in Coalisland, county Tyrone, owes his injuries to a party of Nationalist rowdies who were the worse for drink.

MR. BRYCE: I have no report that goes to show this was the case.

MR. MOONEY: Was the information supplied to the right hon. Gentleman by the police sergeant of the district?

MR. BRYCE: The information was sent me from Dublin.

MR. T. L. CORBETT: Has the right hon. Gentleman any reason to believe that the assault was committed by the Orange drumming party?

MR. BRYCE: I have told the House all I know.

MR. T. L. CORBETT: And that is nothing.

Ussher Evicted Tenant.

MR. O'SHEE (Waterford, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have yet considered the application for the reinstatement of Mrs. Alice Crotty, a tenant evicted from the Ussher estate, county Waterford, whose holding is in the possession of Mr. Ussher; whether Mr. Ussher has applied for an advance to enable him to sell to his existing tenants; and whether a resolution of the Dungarvan Board of Guardians with reference to this case has come under the notice of the Estates Commissioners.

MR. BRYCE: The Estates Commissioners inform me that their inspector's Report on Mrs. Crotty's application has now been received, but they have not yet had time to consider what action, if any, they may take upon it. The Commissioners have received an originating application in respect of the sale of the estate of Mr. R. Ussher, and have also received the resolution of the Dungarvan Board of Guardians referred to, which will be duly considered when the Commissioners are dealing with the estate.

Woodroofe Estate, Waterford.

MR. O'SHEE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have yet made an offer for the purchase of the untenanted lands on the Woodroofe Estate, county Waterford; and, if so, whether the same has been accepted.

MR. BRYCE: The Estate Commissioners inform me that on 31st October they issued a request to the Land Judge under Section 7 of the Act in regard to the Woodroofe Estate. The prescribed documents have not yet been lodged, and until this has been done, and the estate has been inspected, the Commissioners will not be in a position to make an offer for purchase.

Mr. P. J. Kelly, J.P.

MR. T. L. CORBETT: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received the Lord Chancellor's observations upon the fact that, on the 12th October, Mr. P. J. Kelly, while adjudicating on the bench at the Loughrea petty sessions, publicly expressed approval of seditious statements made by a person charged with disorderly conduct at Gortymadden; whether the Lord Chancellor has expressed disapproval of Mr. Kelly's statement about grabbers, police, and the British Government; and whether Mr. Kelly has been called upon to withdraw the statement, or resign his seat on the bench.

MR. SWIFT MACNEILL: May I draw attention to the form of this Question, and point out that it is not in accordance with the Rules of the House for framing questions. The expression "seditious statements" is used, and that is a matter of opinion which should not be incorporated in a Question.

*MR. SPEAKER: Until I know what the statements are I cannot say whether they are seditious.

MR. BRYCE: The Lord Chancellor informs me that the incident referred to in the Question was brought to his notice at the time of its occurrence, and that he dealt with it by conveying to Mr. Kelly his strong disapproval of what had occurred, together with his grave censure and warning in respect of it.

Gortnahoe Evicted Tenant.

MR. KENDAL O'BRIEN (Tipperary, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Colonel Hutchinson Poe, who signed the recent Report of the re-assembled Land Conference, with regard to the evicted tenants, is the agent for his brother, Admiral Poe, who is the landlord of the evicted farm of Kyran McDonnell, near Gortnahoe, county Tipperary, in which there is a new tenant; whether Philip McDonnell, the son of the evicted tenant, has applied to the Estates Commissioners for re-instatement; and whether Colonel Poe has made any effort to secure by conciliatory negotiations the surrender of the farm by the grabber and the restoration of Philip McDonnell.

MR. BRYCE: The Estates Commissioners inform me that they have received from Philip McDonnel an application for reinstatement in a holding on the estate of Admiral Poe, from which his father, Kyran McDonnell, was evicted. The documents referring to the case are at present in the hands of an inspector who has been directed to inquire into the matter, and until the Commissioners have received his report they are unable to give the further information asked for in the Question.

Irish Railway and Canal Administration.

MR. VINCENT KENNEDY (Cavan, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received a resolution from the Irish Flour Millers' Association, Dublin, drawing attention to the unsatisfactory administration of Irish railways and canals, and the consequent set-back to industrial enterprise; will the matter have his attention; and will he impress upon the various Royal and other Commissions at present investigating these questions the urgency of preserving and encouraging Irish industries.

MR. BRYCE: I have received the resolution referred to, and I am informed that copies have also been sent to the Royal Commission on Canals and the Viceregal Commission on Irish Railways. The Royal Commission has recently held sittings in Ireland, and I know that the members of both Commissions are fully alive to the importance of securing for the development of Irish industries all the help that improved methods of transporation can give.

Land Commission—Sporting Rights.

MR. VINCENT KENNEDY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state whether the necessary regulations have yet been made by the Lord-Lieutenant for administering Section 13 of 3 Edward 7, c. 37.

MR. BRYCE: Regulations dealing with sporting rights vested in the Land Commission, in pursuance of Section 13, sub-section (1), of the Land Act, 1903, have not yet been made by the Lord-Lieutenant. Draft regulations have, however, been prepared, and are now under consideration.

Rosgarland Evicted Tenants.

MR. FFRENCH (Wexford, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Patrick and Mrs. Colfer, evicted tenants belonging to the Rosgarland estate, have made application to the Estates Commissioners for restoration to their home; whether the inspector has reported on their case; and if he will state the nature of the Report.

MR. BRYCE: The Estates Commissioners inform me that Patrick Colfer has lodged with them an application for reinstatement as an evicted tenant. The case has been referred to an inspector for inquiry, but his Report has not yet been received.

Untenanted Land Return.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state when the Return of untenanted land, presented to the House last July, will be ready for distribution.

MR. BRYCE: The issue of Parliamentary Returns does not fall within my province. I have, however, made inquiries and am informed that the Return in question will be ready for distribution by the end of this week. The Return is a very voluminous one.

Gurteeny, Galway, Outrage.

MR. CHARLES CRAIG (Antrim, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, on the night of 18th October, 1906, the house of a man named Michael Tuohy, of Gurteeny, near Woodford, county Galway, was fired into; that the shot passed through the window of the room in which Tuohy was sleeping, and the broken glass thrown on his bed; that the pillow was punctured with pellets, and the wall at the side of the bed pitted with the shot; and whether the police have made any arrests in connection with the matter.

MR. BRYCE: I am informed by the police authorities that a man has been arrested and returned for trial upon the charge of firing into the house of Michael Tuohy on the occasion mentioned. It would be undesirable to enter into the details of the alleged offence while the matter is *sub judice.*

Ahascragh (Galway) Outrage.

MR. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on the night of 24th October last a bullock belonging to James Fallon of Shraloughtra, a grass farm near Ahascragh, county Galway, was mutilated by the flesh being torn off its ribs by some blunt instrument, so that the ribs were exposed, and that Fallon and two other men had taken this grass farm against the wishes of the United Irish League; and will he say what the police report to have been the reason of the outrage, and what arrests have been made in connection with the matter.

MR. BRYCE: I am informed by the police authorities that the fact is substantially as stated in the first part of the Question. The Inspector-General is not aware that Fallon has been interfered with in respect of his taking the grazing land. Fallon has lodged a claim for compensation which has not yet come on for hearing, and, apart from this fact, it would not be in accordance with practice or desirable to state what the opinions of the police may be as to the motives for the offence, assuming one to have been committed. No arrests have yet been made.

Newcastle (Limerick) Postal Arrangements.

MR. O'SHAUGHNESSY (Limerick, W.): I beg to ask the Postmaster-General if he can say why the local postal authorities in Newcastle West, in the county of Limerick, have discontinued the practice of leaving the letters addressed to the clerk of the union at his office there and the master of the workhouse in the letter boxes placed in the porter's hall by the district council and board of guardians for that purpose; is he aware that the letters are now left with the porter instead and in his absence are placed in his desk, which is an unsatisfactory arrangement; and whether, on this account, he will take steps to see that the postman leaves the letters in the boxes for that purpose, which are only a few feet from the desk.

THE POSTMASTER-GENERAL (Mr. SIDNEY BUXTON, Tower Hamlets, Poplar): My attention has not previously been drawn to this matter, but I will have inquiry made and communicate the result to the hon. Member as early as possible.

Public Accounts Committee.

*MR. MORTON: I beg to ask the Prime Minister whether he will arrange, as was done last session, to give an evening or part of an evening for a consideration of the Reports of the Public Accounts Committee.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): I understand that another Report is to be issued by the Committee, and perhaps another Question may be put when the Report is out.

*MR. MORTON: Has the right hon. Gentleman seen the third Report issued yesterday?

SIR H. CAMPBELL-BANNERMAN: No, it is another Report I am referring to.

Ministerial Salaries.

*MR. MORTON: I beg to ask the Prime Minister whether he will consider the advisability of reducing the salaries of Ministers to amounts not exceeding £2,000 per annum each, with a view to providing the means for payment of Members of this House.

SIR H. CAMPBELL-BANNERMAN: The question of readjusting ministerial salaries has not been under consideration, and I do not know that my hon. friend has discovered a solution of the problem of providing payment for Members. The sum available under his proposal would, I believe, not allow £75 per head for the purpose, which would hardly be regarded as adequate.

*MR. MORTON: Do not some Ministers who draw £2,000 a year consider that they do more work than those who get £5,000?

SIR H. CAMPBELL-BANNERMAN: Evidently the hon. Member is more acquainted with the matter than I am.

Women and the County Council Election.

MR. HAROLD COX: I beg to ask the Prime Minister whether he can see his way to find time during the present session for the passing of the Local Authorities (Qualification of Women) Bill, in order that it may come into operation in time to permit the electors at the forthcoming County Council election to choose women representatives if they prefer to do so.

SIR H. CAMPBELL-BANNERMAN: I am afraid this is impossible.

Civil Servants and Compulsory Vaccination.

MR. T F. RICHARDS (Wolverhampton, W.): I beg to ask the Prime Minister whether he can permit Civil servants to claim exemption from the compulsory clauses of the Vaccination Acts equally with other citizens who have a conscientious objection; and whether he will request other Ministers to consider favourably any application made to them.

SIR H. CAMPBELL-BANNERMAN: The compulsory clauses of the Vaccination Acts only apply to children under the age of fourteen years. As regards the requirement of vaccination in the case of candidates for appointment in the Civil Service, the matter is one either for the Civil Service Commissioners or for the head of the Department concerned, and it does not appear to me that the matter is one in which I could properly intervene.

Women's Enfranchisement Bill.

MR. KEIR HARDIE (Merthyr Tydfil): I beg to ask the Prime Minister whether he will consider the advisability of starring the Women's Enfranchisement Bill, to give it an opportunity of passing as an unopposed measure.

SIR H. CAMPBELL-BANNERMAN: This Bill was only introduced last week, and is therefore not at a stage at which it can be starred.

Procedure Rules.

SIR A. ACLAND-HOOD (Somersetshire, Wellington) asked what course the Government proposed to take in regard to the Procedure Resolutions.

SIR H. CAMPBELL-BANNERMAN said that the opportunity for discussion on the rules of procedure promised for Friday, if the Merchant Shipping Bill debate finished on Thursday, would be given by putting down Amendments to the Standing Orders, which he hoped would appear on the Paper to-morrow.

A QUESTION OF ADJOURNMENT.

MR. LEHMANN rose to move the adjournment of the House in order to call attention to a matter of urgent public importance——

SIR H. CAMPBELL-BANNERMAN, (interposing): May I rise, somewhat irregularly perhaps, on a question of order, having a shrewd suspicion of the object of my hon. friend, to point out that to-day having been mortgaged, as it were, by agreement with the Opposition to the prosecution of the present stage of the Land Tenure Bill, it would be rather a breach of the understanding that any portion of the time should be taken up by a Motion for adjournment.

*MR. LEHMANN was afraid he was bound to give the notice.

MR. A. J. BALFOUR (City of London) asked leave to interpose, also perhaps irregularly, to ask the Speaker whether the question the hon. Member wished to raise would be considered to have lost its urgency if, in the circumstances, it were postponed.

MR. DALZIEL asked whether by postponement the hon. Member would not lose his right to move the adjournment.

*MR. SPEAKER: I have an idea, from what occurred at Question time, what is in the mind of the hon. Gentleman who rose, but I have not yet seen the terms of his Motion. A Motion for adjournment on the ground of urgency does not stand exactly in the same position as a question of privilege. A question of privilege must be raised on the very earliest opportunity, but it is not always so with a question of urgency. It may well be that as time goes on the matter, instead of losing urgency, becomes more urgent, and, therefore, not wishing to commit myself before having seen the terms of the hon. Member's Motion, all I can do is to make the general statement that it does not stand in the same position as "privilege," and possibly the hon. Member will not be any worse off by bringing it on to-morrow.

MR. JOHN REDMOND (Waterford) asked whether it was not the fact that any individual Member by putting down a blocking Motion that night could make it impossible to raise the question to-morrow?

*MR. SPEAKER: Yes, that is so.

*MR. LEHMANN said, that being so, unless he was entitled to assume that no blocking notice would be put down, he felt bound to give notice now.

MR. A. J. BALFOUR asked if it could not be postponed on a general and honourable understanding that it would not be blocked. If that were done, any one who put down a blocking notice in spite of that would be regarded as a——

A LABOUR MEMBER: A blackleg.

MR. A. J. BALFOUR said he did not finish his sentence and would not say that, but he thought the hon. Member might be certain that any such understanding would be faithfully kept.

*MR. LEHMANN, in view of what the right hon. Gentleman had said, postponed his Motion.

BUSINESS OF THE HOUSE.

Ordered, "That the proceedings on the further consideration of the Land Tenure Bill, as amended, if under consideration at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House)."—(*Sir H. Campbell-Bannerman.*)

LAND TENURE BILL.

Order read, for resuming Adjourned Debate on Amendment proposed [13th November] on Consideration of the Bill, as amended (by the Standing Committee).

Which Amendment was—

"In page 3, line 20, to leave out from the word 'compensation,' to the end of line 25, and insert the words 'for the loss or expense which the tenant, by reason of his quitting the holding, sustains or incurs upon or in connection with the sale or removal of his goods, implements, produce, or stock,'—(*Sir W. Robson*) —instead thereof."

Question again proposed, "That the words proposed to be left out stand part of Bill."

MR. NUSSEY (Pontefract) said that the words the learned Solicitor-General had put down on paper would hardly carry out the intention of the Government. In the first place it went far beyond the intention of the noble Lord the President of the Board of Agriculture as indicated in his speeches made at various times up and down the country when advocating this Bill. The noble Lord had declared that it was his desire that the compensation made under this clause should be limited to compensation for actual damage. But it now provided more than that. If they were going to give compensation under Clause 5 they should give adequate and fair compensation. He did not think the compensation offered was fair and adequate. The Amendment contained a very dangerous proposal and he took exception to its drafting. They did not know what was meant by the word "sale;" it might open up a suspicion, if not of actual fraud, at least of very questionable conduct on the part of the tenant. He might unduly increase his amount of stock and implements for the purpose of the sale. During the period he was under notice he might have a bogus sale. The Amendment did not insure that the tenant should exercise reasonable and proper precaution with regard to the sale. It opened up a very great temptation to him to sell as he pleased and the landlord would have to bear the loss. As to the word "removal," a Scottish tenant might want to transport part of his stock and implements to the Midlands, whilst another farmer might want to go to Canada. The Amendment did not limit the amount to be paid by the landlord for removal. In his opinion the amount of compensation should be limited. He urged upon the Government the desirability of making the drafting more perfect, and he thought the difficulty might be met if a sliding scale of compensation were introduced. As the Amendment stood there was a danger of undue litigation. He wished to see the cost of litigation reduced as far as possible under the Bill. He hoped that either the Government would see their way to amend this Amendment, or else adopt some limit to the amount of compensation, or give some guide to the arbitrator as to what was meant.

*MR. COCHRANE (Ayrshire, N.) said that as the clause stood, if the landlord without good and sufficient cause, and for reasons inconsistent with good estate management, terminated or refused to grant a renewal of the tenancy, he would be liable to pay compensation on the basis of the Amendment. If a landlord desired to farm his land in some different way and to appoint some other man he took it that no compensation would be payable under the clause. If there were any distinct reason why one man was better than another there would be no liability to give compensation. The cases which could come under this sub-section appeared to him to be of a very limited character. It was suggested by a few hon. Members that landlords got rid of tenants on religious or political grounds. He did not admit it; but at any rate, it would be covered by the clause. But take the case in which a tenant was considered by the landlord to be undesirable because he might have reason to believe that the tenant had given way to intemperance or his moral character was such that it was undesirable to keep him on the estate. It would be greatly to the injury of the man if the landlord were to come forward and make a specific statement of the causes for which he wished to get rid of him at the end of his tenancy. Besides, it would be extremely difficult to prove. The Amendment of the Solicitor-General provided a fanciful remedy for a more or less imaginary grievance. It opened a limitless area of litigation. If some member of the outgoing tenants' family caught a cold on the journey and medical expense was incurred, it would be in consequence of the removal. If a cow died in course of transit, would not that also be credited to the same cause? They could open a vista of litigation and expense, which it was almost impossible to conceive, and some limitation must be put into the clause if it was to be workable or intelligible. Then take the words "sale or removal." How were the losses incurred in a sale to be tested? Was the tenant first to have a valuation of his stock, goods, implements, and produce? If the amount realised at the sale did not come up to the estimated value, was the tenant to come down on the landlord for the difference? They all knew how eager valuers were to place an imaginary value upon stock, because their fees were invariably paid by percentage. When the time came he would move to leave out the words "sustains or" and "sale or," and then the Amendment would come nearer to the terms contained in the speech of the President of the Board of Agriculture, who on more than one occasion had laid down the limitation which he thought should be imposed upon this clause. In speeches both at London and at Edinburgh the noble Earl had said that this clause should be restricted to the actual costs of the removal of the tenant who was disturbed in his holding. The hon. Baronet representing the Board of Agriculture the other evening was put up to explain what the noble Earl meant. According to the hon. Baronet the simple words of the President of the Board of Agriculture meant compensation for everything short of moral and intellectual damages. But the words in question were incapable of explanation such as the hon. Baronet gave. The clause was pernicious in itself, and as the Amendment stood it was absolutely unworkable.

MR. EVERETT (Suffolk, Woodbridge) suggested that the Solicitor-General in moving his amending words should end at the word "sustains," and so omit the contentious part.

MR. LYTTELTON (St. George's, Hanover Square) trusted that whatever else was done, the suggestion of the hon. Member for Woodbridge would not be accepted; otherwise the tenant would be entitled to an absolute indemnity for the loss which had been sustained, no matter what steps he had taken himself.

*MR. GEORGE FABER (York) said that, looking at the matter from a farming point of view, the further they proceeded the deeper they sank into the slough and quagmire of doubt and difficulty. The arbitrator who would decide these matters would have to unite in his own person the wisdom of a Socrates and a Solomon; a judge of the High Court would be a mere child in acquirements in comparison. They had already made the arbitrator a moral judge under this clause. Now they were obliging him to decide in the event of a tenant quitting his holding what his loss was in connection with the sale or removal of the stock. How could anybody estimate that loss, because it depended upon all sorts of considerations? It depended upon the day of the sale, whether it was wet or not, and whether anybody turned up. Under such circumstances the stock might be sold at very considerably below what the tenant might have given for it in the first instance. Was the landlord actually going to be mulcted by reason of an act of God? Or suppose the beef trade was good when the tenant bought his stock and it was bad when the day came round for the tenant to quit his holding. Suppose the stock had got to be sold when beef was down. There were many other instances which could be given. In regard to matters of removal the absurdity was only less in degree. Suppose a tenant farmer was a large breeder of horses and the time came for him to quit his farm and it had to be decided by an arbitrator what damage he had suffered. He might have a promising horse worth, say £200, and in taking it to his new farm it might be injured or killed on the journey. Was the landlord, who had only done what he had a right to do in parting with his tenant, to pay for the death of that horse on its journey to the new farm?

Mr. J. WARD (Stoke-on-Trent): No, not under this Amendment.

*Mr. GEORGE FABER said he would not cross swords with the hon. Member for Stoke on a labour question, and he thought the hon. Member would be better advised not to cross swords with him upon a matter of this kind. Such an event as he had suggested might very well arise, and this Amendment was opening the door to every sort of litigation. In his opinion it would work quite sufficient hardship to the landlord if they limited the loss recoverable to the expenses of removal. That was the criterion of damage which the President of the Board of Agriculture himself had adopted in a recent speech. Why was it not carried out in the Amendment? They were promised bread and they had got a stone. On the grounds of common sense and workability, and upon every other ground this Amendment ought not to be adopted.

Mr. J. WARD said he only rose to justify the interruption he had made. The clause only applied in the case of a landlord who dismissed his tenant without good cause and for reasons not consistent with the good management of his estate, which, of course, meant mere personal caprice. Under those circumstances would the hon. Member suggest that the tenant should not be fully compensated for all the expense of his unjustfiable disturbance?

*Mr. GEORGE FABER said he agreed that he should be fully compensated, but not extravagantly.

Mr. J. WARD thought the Amendment had limited the amount a great deal, and he would have thought that the loss a tenant was put to by removal ought to include every kind of loss without any limit whatever. That was the reason why he objected to the Solicitor-General's Amendment, which limited the amount and limited the compensation to specific things. Before this Amendment was introduced the clause included the term "loss," and that covered loss of every kind, but if the Amendment were carried it could only include the losses enumerated in the Amendment.

Mr. A. J. BALFOUR (City of London) believed that the number of cases to which this provision would apply would be extremely small. With regard to the Solicitor-General's words he wished to find out from the legal advisers of the Government exactly how they considered the arbitrator would set to work to discover what were the losses sustained in connection with the sale or removal of goods and the sale of produce or stock. Take the case of removal. He supposed the loss meant the actual expenditure incurred for carting the goods to the station and then taking them by rail to their destination. If that was so, the amount of loss would depend upon the distance to which the tenant intended to travel. If he went to a neighbouring farm in the same county, it would be small, but in case he went to Australia it would be very large. He did not see why the amount should be so very different in the two cases. It seemed to him that the amount the landlord was to pay was very indefinite, and he did not see how the arbitrator would set to work. How was it possible for any man to tell what loss a tenant had sustained upon the sale of implements, produce, or stock? Upon what basis were they going to proceed? They could not take the price that the tenant gave, because prices changed and the landlord was not responsible for that. If they were going to fix the amount according to the market price, if the tenant realised for his stock more than he gave for it he could conceive circumstances under which the landlord ought to receive something instead of paying. What estimate could they take, except that which the stock actually fetched in the market after the sale? There were such things as forced sales, and very unsuccessful sales. The weather might be extremely bad and the amount realised under such circumstances would be far less than anybody might anticipate. But was that something for which the landlord ought to pay? On the other hand, very often things fetched a great deal more than was anticipated. He wished to understand exactly what the Government thought would be done by an arbitrator who knew his business and wanted to do his duty, and who wanted to carry out in a fair spirit the provisions of the Act. He thought the unfortunate man would be in a hopeless state in dealing with the case. He took another example not touching farm stock, but touching the home furniture and carpets. It had happened to many members of the House that they had for some reason or other been obliged to change their place of residence in town, and although their furniture and carpets suited one house they did not suit the new house. The operation of changing a house was notoriously costly, but it had not yet been suggested that a town landlord should pay for that loss. It seemed to be a provision which might be introduced in some future Parliament. Did the Government say that the arbitrator could say to the tenant, "I do not know what house you are going to, but I am going to give you compensation for that"? He did not know whether that was the kind of thing the Government contemplated. He assured the hon. and learned Gentleman that he did not put these Questions in a carping spirit. He was sure the Government had tried to make the clause precise and to limit it to cases in which he had very little sympathy with the landlord. But however little sympathy they might have with a particular landlord they must go on some general principles. They must apply to this case principles which they were prepared to apply to analogous cases in other walks of life. He hoped the Solicitor-General for Scotland would be able to resolve the difficulties to which he had called attention.

THE SOLICITOR-GENERAL FOR SCOTLAND (Mr. URE, Linlithgowshire) said it was always difficult when they were in the region of arbitration to define precisely what "reasonable" was. The arbitrator, a man experienced in agricultural affairs, would find himself confronted with two main questions at the inquiry. The first was, What were the fair costs of removal? and the second was, What loss had the tenant sustained? With regard to the first question the right hon. Gentleman had said that the arbitrator had a very roving commission, because a tenant might go to the Antipodes for his new farm or to the adjoining parish, and of course the measure of the damage would be very different in the two cases. But the problem confronting the arbitrator was a very familiar one in other cases. There was, for instance, the case of an action where a man was dismissed by his employer and claimed for breach of contract. He might go to New Zealand for a new situation, but he would never be entitled if he went into a court of law or before an arbitrator to get the cost of his passage to New Zealand. The arbitrator would be entitled to say to the tenant, "You did not need to go to John o' Groat's or Somersetshire in search of a farm; you could easily have supplied yourself in the vicinity, and I will give you what I consider will be the reasonable cost of removing yourself, your furniture and belongings to a farm in the neighbourhood. I know many farms which are to let, and it is out of the question to suppose that you are to recover from your landlord what it costs you and your family to go to the other side of the globe." It would be within the region of reasonable assessment of damage with which a skilled and intelligent man could deal fairly. The House had over and over again considered the question whether the word "reasonable" should be left in an Act of Parliament, and they had over and over again imagined extreme cases which would lead to very inequitable results. In the end they had agreed to the use of the word "reasonable" and when it had been construed by skilled and unskilled tribunals nobody was much the worse. An intelligent tribunal applied itself to the consideration of the question—What is reasonable? As to the loss sustained under a sale he assumed that an intelligent agriculturist would consider what was the difference between the price which the man would have got if he had not been compelled to sell at any particular time and what he actually got by having to sell at a time when he would not otherwise have done so.

Mr. A. J. BALFOUR: Am I wrong in saying that he has certainly six months, probably a year, in which he can choose the time to sell?

Mr. URE said that was so, and if he chose an unfavourable time the arbitrator very likely would award him nothing. In the case figured out by the right hon. Gentleman he thought that there clearly would be no claim at the instance of the tenant.

Mr. AUSTEN CHAMBERLAIN (Worcestershire, E.) asked what would happen in a case where a tenant before the notice expired had missed an advantageous opportunity of disposing of his stock and at the termination of the tenancy it was sold at a loss.

Mr. URE said he could only answer the Question as a lawyer. If such a case should occur he would say that an intelligent arbitrator would not allow any claim for loss if an advantageous opportunity for sale had been missed.

Mr. LYTTELTON said the terms used in this clause were, as the hon. and learned Gentleman well knew, the terms used in the Lands Clauses Act. In an arbitration under the Lands Clauses Act the arbitrator rightly, according to the practice of sixty years, looked with great liberality and generosity on the claims of the claimant. The arbitrator under this Act would naturally follow that practice, but he would also be disposed to make the award more liberal still to the claimant in this case, because of the unreasonable conduct of the landlord. That would be an entirely natural proceeding and he thought the arbitrator would be entitled—they could not restrain him—to take into consideration the cost of removal. He would be perfectly entitled to say, "I will award you compensation for going from Surrey or Kent to Northumberland," whereas it might be that the tenant could reasonably have accommodated himself in Norfolk. If the tenant said he preferred a Northumberland farm he thought in the circumstances the arbitrator would have perfectly lawful jurisdiction to award the loss entailed upon him in going to that county. The arbitrator had to apply the test of reasonableness without any nice hand at all. The Solicitor-General was not accurate, if he might respectfully say so, in saying that the arbitrator would in every case say that he was going to apply a severe and rigid test to the reasonableness of the conduct of the tenant who had been dispossessed. These arbitrations would, of course, be conducted in private, and it was a delusion to suppose that agriculturalists would apply to these cases the rationality and precision which they certainly might expect to get from the Solicitor-General. The House was under a delusion if it supposed that they would get in such cases any other than liberal compensation for the tenants. He thought that the Government equally with the Opposition wished to define with precision the compensation to which the tenant was to be entitled. The Opposition regarded this clause altogether with disfavour, but the Government themselves had given an earnest of their good intentions, and wished the compensation to be of a limited character. In regard to removal, however, they had not secured that object, and he failed to apprehend the argument of the Solicitor-General for Scotland in regard to sale. He quite agreed that there might be cases in which the tenant would get nothing; but he contended that in every case the arbitrator would not only be entitled to, but would look at the claim of the tenant generously. He thought the proposed words should not be accepted.

MR. WALLACE (Perth) said that the Leader of the Opposition had raised a very interesting question by the queries which he had addressed to the Solicitor-General for Scotland, but the points he had raised were not new. They were questions which arose every day in the Courts of law, and there no difficulty was found in dealing with them. In the case of a man improperly evicted from a farm, who had to sell his stock and remove elsewhere, the Courts had not the slightest difficulty in dealing with the way in which the damages should be assessed. But the right hon. Member for St. George's, Hanover Square, did not complain or suggest that the Solicitor-General for Scotland was wrong in the law he had put before the House as to the manner in which the damages would be assessed. The right hon. Gentleman seemed to be afraid rather of the tribunal which was to assess the damages, because he suggested that the arbitrator would neglect the legal considerations to which he had referred and would view the tenant's claim in a sympathetic spirit. The complaint, therefore, was not against the law itself, but against the tribunal which was to administer the law. He was quite sure the late Attorney-General could tell how the Courts of law were occupied day by day in deciding questions as to the amount of damage caused by evictions. There were legal principles regulating the amount of such damage which had been fixed for many years. Would the right hon. Gentleman wish to have substituted for the arbitrator the Courts of law in the ordinary way?

SIR FREDERICK BANBURY (City of London): Yes.

MR. WALLACE: But the hon. Baronet is always in favour of litigation.

SIR E. CARSON (Dublin University) said that the Solicitor-General for Scotland had spoken about the impossibility of even a Court of law deciding as to what was "reasonable," but it seemed to him that the conclusion to be drawn from his argument and from that of the hon. Member for Perth was that there ought to be extreme precision as to the measure of damages they put into the Bill when there was no appeal to a Court of law from the decision of the arbitrator. He was sorry to say—and that not on any political ground—that he did not entirely agree with the construction which the Solicitor-General for Scotland had put on this section as to the amount of damages that might reasonably be incurred by the tenant quitting his holding or in connection with the sale of his stock and goods. In his opinion by the words of the Amendment they would be setting up questions to the arbitrators or valuers which would be very difficult to construe. He wished to raise a point which might be of some substance. It was the insertion of a comma after the word "holding." Of course a comma had no effect in the interpretation of an Act of Parliament; but the insertion of the comma after "holding" and before the words "sustains or" might set up two sorts of claim which the tenant might be able to make—one a general claim, and the other a specific claim in relation to the expenses of sale and removal. He could not see why the words "sustains or" should be kept in.

THE CIVIL LORD OF THE ADMIRALTY (MR. LAMBERT, Devonshire, South Molton) thought that the Solicitor-General for Scotland might congratulate himself that so acute a legal gentleman as the late Solicitor-General for England could only find in the Amendment a mistake of a comma.

Sir E. CARSON said he had not stated that there was any mistake in regard to the comma. On the contrary, he had asserted that a comma had no effect in the construction of a statute.

Mr. LAMBERT thought the right hon. and learned Gentleman had made a great point of the comma. The House must be very careful to guard against this clause being regarded as a mere pious opinion, under which the tenant would not get any compensation at all. The tenant would have to prove two things. He would have to prove, first, that his loss or expense was occasioned by reason of the enforced sale of his goods and stock; and secondly, by his removal. Having thus limited the question, they should allow very considerable latitude as to the amount of the compensation to be granted to the tenant. Under this measure the difference would be settled by an arbitrator, and he assumed that that arbitrator would be a sensible and practical man who would give a reasonable decision. If the landlord did not agree to an arbitrator, one would be appointed by the Board of Agriculture, and the House might be perfectly certain that the Board would only appoint a person of the highest standing and capable of dealing with these questions. Therefore he thought the fears of the right hon. Gentlemen were illusory when they thought that the arbitrator would award too liberal compensation. He hoped the arbitrator would award liberal compensation in every case in which the landlord had without good and sufficient cause, without any reason connected with good estate management, evicted a tenant. Such a landlord ought to be mulcted in very heavy damages. The Leader of the Opposition had suggested the case of a forced sale and the late Chancellor of the Exchequer had put case of a tenant who did not choose a favourable moment for his sale when he knew he was going to move.

Mr. AUSTEN CHAMBERLAIN said that was merely an illustration. He put the case of a man whose household goods were too bulky to move. Too much should not be made of that.

Mr. LAMBERT said he also would rather leave out the small question of furniture, which was a much smaller question than the disposal of the man's stock. In these cases, as every practical man knew, a farmer consumed the produce of his holding and he generally sold twelve months before he quitted, or just before he was quitting. If he sold just before he was quitting he sold the produce of the holding from the holding and left the unconsumed stores upon it. In this matter he thought the arbitrator would be governed by what would appear to him to be a just compensation for an unjust eviction. This compensation would only be given to the tenant on quitting a holding because the tenant would have found a fresh farm and the arbitrator would be able to say whether the tenant had been reasonable in going, say, from Devonshire to Northumberland. As these cases would probably be small in number, he hoped they would not water down this clause. The tenant farmer's loss was not to be measured by a forced sale or an expensive removal, because when he went into a new neighbourhood he had to gain the necessary experience in order to farm that land at a profit. He knew something about farming his land in Devonshire, but if he were put into Suffolk or some other county he should have to learn his business all over again. The men in a locality knew how to farm that particular land, while the man from a distance would have to gain that experience, and possibly gain it very dearly. Therefore the tenant's loss was not limited to his expenditure in quitting his holding. The question had been put, why, if the sale was on a wet day, should the landlord suffer; but he would ask the converse question, why should the tenant suffer if he had been evicted improperly. Personally, if he were an arbitrator, he would give the most liberal compensation to a tenant who had been unjustly treated, because whatever compensation was given him he did not think it would remunerate him for his loss. The hon. Member for Ayrshire regarded this clause as a pernicious one, but the Government regarded it as a just and necessary one although they thought the cases to which it would apply would be rare; but in such cases everybody would wish to see the tenant treated with justice and liberality.

MR. HILLS (Durham) held that the words of the Amendment were too wide. He thought the House had agreed to the principle that the compensation was to be confined to the actual loss occasioned, and the actual diminution of the price of stock and produce by reason of there being a forced sale. These were the only two circumstances which the arbitrator was to take into account, but all the incidental losses in regard to the loss of a man's home and the change of neighbourhood were not to be taken into reckoning. He urged, therefore, that a few small changes in the Amendment would effect what all parties wanted, viz., to give the tenant the reasonable cost of removal—in other words, the loss and expense which he reasonably incurred in moving and through the forced sale of his stock. Surely they could limit the Amendment to that. All parties would agree that that was exactly carrying out the words of the President of the Board of Agriculture and also of the secretary of that body. As the Amendment was drawn at present, however, it seemed to him that the tenant might in some cases obtain vindictive damages.

*MR. BEALE (Ayrshire, S.) thought that the difficulties that had suggested themselves to the mind of the hon. Member for Durham and others had occurred because they would insist upon dwelling upon the last words of the proposed Amendment, which dealt with loss or expense which the tenant by reason of his quitting the holding sustained or incurred upon or in connection with the sale or removal of his goods, implements, produce or stock. The reference to sale or removal gave no claim for anything which was not strictly a consequence of having to clear out. The goods worth so much to a man who remained were worth so much less to a man who had to quit, and that must be ascertained by sale or removal. If a man was going to Australia, Northumberland, or elsewhere, no arbitrator would hold that that was by reason of his quitting his holding. Many arbitrators consulted a legal assessor, and in any case they would not get arbitrators who would, as suspected, be imbued with notions under the Lands Clauses Act. There was no fear of that. What was provided was that damage should not be given unless damage was incurred. He did not think they ought to be afraid of an arbitrator being too generous towards the tenant who had been unjustly and improperly turned out.

MR. WALTER LONG (Dublin, S.) wished to make a suggestion. There was a general understanding that the discussion on the Bill should be terminated that evening. They were now discussing the omission of words which they all agreed should be omitted. He thought it would be better if they assented to the omission of the words and then discussed the words to be inserted.

Question—"That the words proposed to be left out stand part of the Bill," put, and negatived.

Question proposed, "That those words be there inserted."

SIR F. BANBURY moved the omission of the words "loss or," so that the Amendment should run that a tenant should be entitled to compensation for the expense which he sustained or incurred by reason of his quitting the holding, upon or in connection with the sale or removal of his goods, implements, produce, or stock. It appeared to him that as the clause now stood the landlord would be liable for many injuries over which he had no control. The Civil Lord of the Admiralty seemed to think that any loss was to be made good provided that the tenant could show that it occurred because he had been turned out of his holding. They on that side did not take that view, because they said that the agreement was for one year and that there was no agreement in perpetuity. If there was fixity of tenure, then everything the Civil Lord said would be right; but there never had been such an agreement, and it could not be alleged that any such agreement had ever been entered into.

What the Opposition were afraid of was that this was merely an insidious attempt to bring about fixity of tenure. The Civil Lord dissented, but how otherwise could the Civil Lord justify his argument that if a tenant left his holding and it happened to be a wet day, which was the act of God, the landlord should pay compensation? Of course if the landlord broke his agreement with the tenant and turned him out, he ought to pay. But that was not the case of the Civil Lord. They ought to be very careful as to the exact words of the Amendment. So far as he could understand, the noble Lord the Minister for Agriculture—upon two occasions separated by an interval of fourteen days—definitely stated in the simplest and plainest language that there had been a great deal of misconception about Clause 5, and that the only object the Government had in view was that any loss caused by removal should be paid to the tenant by the landlord. That being so, it was desired to put back into the clause words which would show the intention of the noble Lord and carry out that which he had publicly stated on two occasions to be his desire. The hon. Member for South Ayrshire seemed to think that all the matters that were to be submitted to the arbitrator were extremely simple, and that the arbitrator would at once seize the different points and give a fair decision. Valuers in the country were very estimable gentlemen, but his experience was that the gentlemen called in to arbitrate were not capable of seizing all the points of law so ably put by the Solicitor-General for Scotland. Hon. Members themselves would be in a very difficult position if, even after hearing the whole of the arguments in this House, they were unfortunate enough to be chosen as arbitrators in a complicated case. To the ordinary layman who was not accustomed to weigh words as a lawyer would, and who was liable to interpret the words as meaning what appeared on the face of them, the matter would be worse. Everyone supposed that the Minister for Agriculture on the two occasions to which he had referred to, meant what he said. They were now told that he meant nothing at all. That was a simple illustration of the difficulty the arbitrator had to face. If these words were left out all that the arbitrator would have to do would be to find out the expense which the tenant incurred by reason of the sale or removal of his goods. That was a simple matter, because the information could be obtained from the auctioneer in the one case and the person who conducted the removal in the other. The only difficulty which could arise would be where a farmer went to Australia or removed to a farm at a distance. That would come within the arguments of hon. Members opposite, because their argument was that it was very difficult for a farmer to get another farm in the district after he had been evicted from his holding. The great hardship, according to hon. Members opposite, was for the farmer to be turned out of his holding. He was afraid his arguments would not appeal to hon. Members opposite. He had endeavoured to put them as clearly as he could, and to him they seemed unanswerable. But he was sure they would receive consideration. and he hoped they might possibly induce the House to accept the Amendment. He begged to move.

MR. LAURENCE HARDY (Kent, Ashford) said the arguments the House had heard for the last hour had proved the necessity of improving this section. He thought the hon. Gentleman the Civil Lord must have forgotten the position in which the Bill now stood. He had made a speech which would have been justified if the Bill had still been that of a private Member, but now that it had been starred they were entitled to have regard to the opinion not of the Civil Lord but of the Minister for Agriculture. He hoped his hon. friend in moving this Amendment also intended to leave out the words "sustained or," because it was perfectly clear that in the mind of the Civil Lord there was a double compensation and not the mere out-of-pocket expense—something beyond the actual expense, which would come under the head of sentimental damage. If it was intended to get a fair and simple test put before the arbitrator it would be better to say, "the expense which he incurs," and to leave out the double factor. Most of the arbitrators would not know the difference between "loss" and "expense" and "sustains" and "incurs." Therefore with the view of simplifying the matter he seconded the Amendment.

Amendment proposed to the proposed Amendment—

"In line 1, to leave out the words 'loss or.'"—(*Sir Frederick Banbury.*)

Question proposed, "That the words 'loss or' stand part of the proposed Amendment to the Bill."

SIR EDWARD STRACHEY said that the Amendment of the hon. Baronet might be properly described as a whittling down Amendment, and as such it must be resisted. Its effect would be simply to confine the compensation to the expense incurred in removing from one place to another, which might only be a railway fare. Over and over again the Government had stated that they desired to go further than that; that although there was no intention to give moral or sentimental damages it was their intention that the tenant should receive under this clause compensation for the damage sustained, when a landlord did something which he hoped no good landlord would ever do. If for some capricious reason a landlord gave notice to a tenant it was only right that he should make good the loss the tenant sustained if he had to go elsewhere and had to sell his stock at a forced sale. The whole object of the Amendment was to whittle down the proposal of his hon. and learned friend. As regarded the explanation he had given of the statement of the President of the Board of Agriculture, he had little to add on the point except that he was authorised by the noble Earl to explain exactly what his words meant, and he was a little surprised that exception should have been taken to that statement. He could not help thinking that if any hon. Member had given the explanation, which would have been given by the noble Earl himself if he had had a seat in this House, it would have been considered hardly courteous to question it.

***MR. COCHRANE** said he had no desire to be discourteous or to accuse the hon. Baronet of any fault or failing. He only desired to say that the words used by the hon. Baronet conveyed an entirely different impression from the words used by the noble Earl when addressing the Scottish Chamber of Agriculture. He would challenge the hon. Baronet to read out the two sets of words and to show how the words which he quoted coincided with those used by the noble Earl.

SIR EDWARD STRACHEY assumed that the noble Earl had surely the right which every Member in this House claimed, and always had allowed, to offer an interpretation of his own words. If the hon. Gentleman opposite refused to accept it, he had nothing further to say, and it would be desirable in the interests of carrying on the debate in the amicable way in which it had been conducted hitherto that they should drop the topic.

MR. WALTER LONG quite agreed that there was no necessity to pursue any further the semi-personal aspect of the question, but the hon. Baronet must realise that he himself had developed the controversial aspect. The hon. Baronet complained that his hon. friend the Member for North Ayrshire had not accepted his personal explanation. He could assure him there was no intention on the part of anybody on the Opposition side of the House to throw any discredit upon the hon. Baronet, and still less to accuse him of any act of discourtesy. They had not tried to dispute the hon. Baronet's description of the language used by the President of the Board of Agriculture. What they had done had been to point out that the effect given to the language of the noble Earl by the hon. Baronet was not that which was expected by Members of the Opposition or supporters of the Government. But they were quite ready to let that aspect of the question pass. They quite recognised the hon. Baronet's difficulties, and that he had endeavoured to behave with absolute fairness to the House. The Amendment raised the whole question referred to by the Civil Lord of the Admiralty, who shared with a variety of his colleagues the duty of conducting this Bill. One of the difficulties the House was under was that the charge of the Bill passed so rapidly from one member of the Administration to another, that it was very difficult to know whose was the guiding spirit in the debates. This was specially important in dealing with the present Amendment, because, as had been shown, a great deal more depended on the practice than on the actual language of the statute, or the meaning of the law itself. What they had to deal with was not the interpretation or the administration of an Act of Parliament under a presiding Judge with the aid of counsel, but the way in which arbitrators, who had hitherto not been trained in this particular kind of work, would deal with such cases. There were two distinct views held on the Ministerial benches as to the effect of this clause. There was the view that where a landlord was guilty of an act of gross injustice towards his tenant he should be made to pay for his misconduct. In his judgment the method proposed was not the right way in which he ought to be made to pay. If a landlord turned out the occupier for some reason which had nothing on earth to do with the occupation, with the business of agriculture, or with the relations of landlord and tenant, but only with the private life of the tenant, his political or religious views, the landlord would be guilty of misconduct for which he ought to be punished. But the proper way to punish him would be to give the tenant a right to bring an action against him and secure a heavy fine. That was not what was being done under this clause. The measure of the injury suffered by the tenant at the hands of his landlord was not to be the measure of his compensation. In the very worst case the claim on the part of the tenant might be the very smallest under this clause. Although he had never come across a case in England, he would assume that a case might occur in which a landlord took exception, for instance, to the religious views of his tenant and to the way in which those religious views were pressed, and decided to part with him. He could not conceive a grosser act of injustice, or one against which more rigorous action ought to be taken. But supposing the case was one in which the tenant occupied a small grazing farm, and at the time of his quitting the tenancy, an adjoining landlord, indignant at the ill-treatment of this man, offered him a new farm on favourable terms in the neighbourhood, and he was able to transfer his belongings without difficulty. In such a case, which was the worst that could have occurred, there would practically lie no claim for compensation on the part of the tenant. The words "loss or" appeared to mean something which clearly the Government did not intend they should mean, and must lead the arbitrator to ask what was meant by their deliberate insertion in the Act. If the words meant that they were going in some indirect way to fine a landlord for his unjust conduct they should state clearly that that was their intention. The words were misleading and would create difficulties. There was no appeal against the decision of an arbitrator; he would have very wide powers and would be able to administer the Act in a tyrannical fashion, unless the words "loss or" were removed. He believed the Amendment was in the spirit of the Government's own proposal, and would give to the clause a clearer interpretation than would be otherwise possible.

Mr. URE pointed out that this clause would only apply to landlords who, without just cause, had parted with their tenants and had been guilty of a very gross injustice. The right hon. Gentlemen opposite should remember that there were many acts which every man would reprobate most strongly for which the law provided no compensation. The Bill proceeded upon the footing that the landlord had exercised his legal right under circumstances which produced great hardships to the tenant, and the landlord under those circumstances would have to reimburse the tenant what it cost him to go away from his holding where he would probably have remained for the rest of his natural life had his landlord not taken a dislike to him. The foundation of the Bill was that the landlord had not committed any violation of his contract, and it was quite obvious that they should not make him pay any more than would reimburse the tenants for the loss they had suffered. If the Amendment were accepted the effect would be that when the tenant came to make his claim before the arbitrator, that official would ask for receipts for everything, and he would give the tenant nothing except the expenses he could produce vouchers for. Did the House mean that? [Cries of "No."] In the case of a forced sale under circumstances where the tenant suffered a pecuniary loss, there would be nothing the tenant could show in the way of a receipt; and he would have to rely upon the experience and intelligence of the arbitrator, who would be able to say on the one hand what the tenant would have got if he had sold at the most favourable time instead of selling under adverse circumstances. That was the kind of thing which the words proposed to be left out absolutely covered. There was the claim for expenses incurred in the removal and also the claim for loss incurred. If the right hon. Gentleman the Member for Dublin University would look at the clause he would find that everything was governed by the words "by reason of his quitting the holding." The tenant had to be reimbursed for all the loss sustained in connection with the same, and all the expenses incurred in connection with it. The word "loss" ran with the word "sustain," and the word "expense" ran with the word "incurred." The Government could not accept the Amendment.

MR. COURTHOPE said it was hardly to be expected that the Government would, if they could, accept the Amendment. There must be a certain amount of misunderstanding as to the point which they on the Opposition side of the House were arguing. They were attacking not the principle of the clause, or the form of the tribunal; but the words which in their opinion, would place upon the tribunal a duty it would not be competent to discharge. The words left a discretion to the tribunal which an agricultural arbitrator might not be able justly and completely to decide upon. That was why they were objecting to the words. They had to look at the interpretation of this clause not from a legal point of view but from the point of view of the arbitrator under the Agricultural Holdings Act, who would have to administer it. He could not help feeling that the arbitrator would think that the words "for the loss or expense" would mean all the expenses which an outgoing tenant incurred either reasonably or deliberately, for the purpose of running up his claim. The arbitrator would think that all expenses must be included, whether deliberately incurred or not. The Civil Lord of the Admiralty said, "No, he will be reasonable and think the word 'reasonable' is implied here." But he did not think he would. The words were perfectly definite. They might have a case—an extreme case perhaps—of a landlord who found his tenant, who had been with him for a short time, was a highly undesirable person—a felon, or something of that kind. The landlord might decide that he would not keep this felon on his estate. The arbitrator might say "after all, this man has had his punishment; there is no reason why he should suffer loss now." That man, however, might be unscrupulous enough to run up very heavy expenses, and do it deliberately. He might arrange it so that quite unnecessary expenditure was incurred upon his stock and property and in connection with the failure of his sale. It could be easily arranged, and he thought that under these words which his hon. friend sought to amend, an arbitrator would feel bound to allow a claim for loss and damage, quite irrespective of the fact that a good deal of that expense need not have been incurred at all. He asked the learned Solicitor-General seriously to consider that point.

MR. LYNCH (Yorkshire, W.R., Ripon) said the right hon. Gentleman the Member for South Dublin had argued that if a landlord were guilty of a capricious eviction, an additional penalty should be inflicted in addition to what was provided in the way of compensation under this Bill,.

MR. WALTER LONG: I mentioned that as an alternative.

MR. LYNCH said that surely the right hon. Gentleman argued that a distinct wrong was inflicted on the tenant by such capricious eviction which was not provided for in this clause, and that it ought to be provided for, if not in this clause, by other legislation.

MR. WALTER LONG said that he was sorry he had not made his point clear to the hon. Member. What he did say was that they were dealing with two totally different things. His point was that they ought to give the tenant a right to proceed against his landlord for actual wrong done, but this clause did nothing of the kind. He thought the hon. Member had better leave this subject, and pass on to something else.

MR. LYNCH did not think the right hon. Gentleman could get out of the matter so easily as that. He had said there was a distinct wrong which the tenant would suffer for which compensation was not provided under this clause. He hoped the Government would not in any sense weaken the clause, for they had had enough weakening of the measure in response to the appeals of the Opposition. The right hon. Gentleman had said that a capricious eviction was a purely hypothetical case and had never really occurred. Where it was perfectly competent for a landlord to turn out a tenant on any ground without giving any reason, how could it be established that he turned him out purely from political considerations? He had in his own experience known a case where the tenants of a Liberal landlord had been afraid to declare their political opinions simply because the landlord's agent happened to be a rank Conservative. Hon. Members laughed, but it was well-known throughout the country that this terrorism was exercised. He would refer to what was recorded on this subject by a recognised authority, namely, the Welsh Land Commission. One of the Reports of that Commission stated that the Commissioners were repeatedly assured by numerous witnesses that fear of offending their landlords continued to deter many tenants from taking an active part in public affairs and expressing their political views.

*MR. SPEAKER: The hon. Member seems to be addressing himself to the whole clause. That is not now before the House. The only question is whether the words "loss or" should be left out.

MR. LYNCH said he was led into the digression by the speech of the right hon. Gentleman. It had been said by hon. Members on the other side of the House that it could not be proved that there was any real loss other than the expense connected with moving from one place to another. He thought that was disproved by the unanimous Report of the Welsh Land Commission. The Commission calculated that the average loss sustained by a tenant in Wales in moving from one place to another amounted to 20 per cent. of his entire capital. The language of the clause had already been whittled down from its original form, and he hoped no further whittling down would be allowed. He and those who held his views thought that they had reached the limit of concession.

*MR. ELLIS DAVIES (Carnarvonshire, Eifion) concurred in what had been said by his hon. friend the Member for the Ripon division as to the way in which tenants suffered in their agricultural relations on account of their political and religious opinions. Hon. Members who challenged the statement that tenants suffered in that way were ignorant of Welsh history in recent years and forgot the Report of the Welsh Land Commission who treated the evil not as imaginary, but as one which needed a real remedy. It seemed to him that this Amendment would considerably minimise the value of the clause. The clause, if so amended, would really give very small satisfaction indeed to a person who, for political reasons, lost his farm, for the loss of the farm meant more than the loss of a livelihood, and even the loss of the benefit of unexhausted improvements; it meant losing also the knowledge obtained of the land and its capacity, and likewise the loss of the experience in adapting it for the purposes for which it was suited. If, as the Commission reported, a tenant lost a sum equal to 20 per cent. of his capital by being compelled to leave a farm, he maintained that the payment to the tenant of the actual cost of the removal would not be commensurate with the loss he sustained. Even the minority of the Commission suggested that the loss should be met by returning to the tenant a sum equal to one year's rent. It seemed to him that even as it stood the clause did not deal fairly with the tenant.

*MR. STUART WORTLEY (Sheffield, Hallam) said that if the words of the Amendment were inserted it would make it necessary for the tenant to prove that the conduct of the landlord was unreasonable. He thought they were entitled to say that the compensation which the landlord had to pay in respect of the loss sustained by the tenant was not in the nature of solatium such as a young lady sued for in a breach of promise action. The compensation should be limited by using the word "pecuniary," and that would exclude those remote consequential damages which nobody thought a tenant should be compensated for, while giving him compensation for the substantial loss which arose out of his being unreasonably removed from his holding.

*MR. VERNEY (Buckinghamshire, N.) said it would be unfair to leave out the words "loss or." A Resolution passed by the Central Chamber of Agriculture bore directly on this question. It was to the effect that the capital which a farmer invested in his holding should be as safe as if the holding belonged to him. There was no sign there of dual ownership, but there was the idea that the capital of the tenant should be considered as sacred as the capital of the landlord. Where a tenant was going to lose an important part of his capital, owing to his being turned out of his holding without good and sufficient cause, and by a whimsical landlord, he hoped the law would enable the tenant to get compensation for that loss. It was for that reason he hoped the Government would not agree to the proposal to cut out the words "loss or," and thereby further weaken the clause.

MR. GUEST (Cardiff District) thought that to limit the compensation to the mere out-of-pocket expenses would render the provision quite inadequate and would not in the least touch the grievance which both sides of the House admitted had existed and conceivably might exist in the future. He believed the present discussion arose from the fact that in the Amendment as at present drawn there was no limit whatever to the sum which the landlord might be called upon to pay. [AN HON. MEMBER: Why should there be?] Hon. Members who represented Labour did not always understand these problems. He would tell the hon. Member why the amount should be limited. A tenant who had been evicted might think that the eviction was entirely due to a political difference with his landlord. But that might not be the reason for the eviction. It might sometimes be necessary for the good of the district to turn a man out of his holding. That was a thing difficult to state; indeed, it was not always capable of statement. They must give the landlord a certain amount of discretion in dealing with his tenants. He held that they should put in a maximum which would limit the obligation of the landlord. Did the hon. Gentleman think that if they put in a maximum amount of damages the arbitrator would always give it? For his own part, he admitted that if it was clearly proved that the action of the landlord was a petty piece of feudal tyranny, it was possible that the arbitrator would give the maximum penalty and that in doing so the arbitrator would be acting wisely. But was it to be left to the arbitrator to assess a landlord in damages amounting to £5,000 for disturbance? Was there to be no limit whatever? The intention of the House was to deter the landlord from exercising that sort of tyranny, but it should not be left to the arbitrator to say absolutely what damages he should give.

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) said that there seemed to be a good deal of confusion on both sides of the House as to what the tenant was going to get compensation for. The question was whether he should get compensation for moral damage or only for out-of-pocket expenses. A great many hon. Members opposite had been supporting the clause which, on the face of it, only purported to give compensation for expenses incurred, thinking they were securing for the tenant compensation for moral and intellectual damage. But however much they might recognise the moral delinquency of a landlord who acted in a capricious manner, it was totally impossible by Act of Parliament to assess the actual moral damage the tenant might suffer. They were making a mistake in attempting to deal with the question by legislation; in his opinion, such conduct was so much reprobated by public opinion that there was no need for legislation. They could not legislate in that direction without bringing into play other forces, such as dual ownership, to which he was sure the majority of hon. Members objected. It was no use bringing forward a half-and-half Amendment such as this. Ostensibly it was to give compensation for loss and out-of-pocket expenses; but in reality it was intended to give the tenant moral and intellectual damages. That was the reason why the hon. Member for Stoke had argued that the words should be retained. He should certainly vote for the Amendment of the hon. Baronet the Member for the City of London, because it bore out more fully the view which Members, especially on that side of the House, held, that the most they should do was to give the tenant the out-of-pocket expenses which he had incurred.

Question put.

The House divided:—Ayes, 353; Noes, 83. (Division List No. 407.)

AYES.

Abraham, Wm. (Cork, N. E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armitage, R.
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight
Barlow, John Emmott (Somerset
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beauchamp, E.
Beaumont, Hn. W. C. B. (Hexhm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Berridge, T. H. D.
Bertram, Julius
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire
Bolton, T. D. (Derbyshire, N.E.)
Boulton, A. C. F. (Ramsey)
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Chesh.
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Causton, Rt. Hn. Richard Knight
Chance, Frederick William
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W
Condon, Thomas Joseph
Corbett, C H. (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Cremer, William Randal
Crombie, John William
Crosfield, A. H.
Cross, Alexander
Crossley, William J.
Daziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Fiennes, Hon. Eustace
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gardner, Col. Alan (Hereford, S.
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Gwynn, Stephen Lucius
Haldane, Rt. Hn. Richard B.
Hall, Frederick
Halpin, J.
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harvey, A. G. C. (Rochdale)
Haslam, James (Derbyshire)
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Horniman, Emslie John
Horridge, Thomas Gardiner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jackson, R. S.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea
Jones, Leif (Appleby)

Viscount Helmsley.

Jones, William(Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Langley, Batty
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, Sir JosephF.(Accrington
Lehmann, R. C.
Lever, A.Levy(Essex, Harwich
Lever, W.H.(Cheshire, Wirral)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald,J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down,S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Marks, G.Croydon(Launceston)
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien,Kendal(Tipperary,Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Grady, J.
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk, Eye)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Price,C. E. (Edinburgh,Central
Price, Robt. John (Norfolk, E.)
Priestley, W.E.B.(Bradford,E.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thos. (W. Monm'th)
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, Sir G. Scott(Bradf'd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Scott,A.H.(Ashton under Lyne
Sears, J. E.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soames, Arthur Wellesley
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Tennant, SirEdward(Salisbury
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A.(Glamorgan, E.)
Thomas, DavidAlfred(Merthyr)
Thompson, J.W.H.(Somerset,E
Tillett, Louis John
Tomkinson. James
Torrance, Sir A. M.
Toulmin, George
Ure, Alexander
Verney, F. W.
Vivian, Henry
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wilson,Hn. C. H. W. (Hull, W.)
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, J.W.(Worcestersh., N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord (Norfolk,Mid
Wood, T. M'Kinnon
Woodhouse, SirJ.T.(Huddersf'
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood, Rt.Hn.SirAlexF.
Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn.SirH.
Balcarres, Lord
Baldwin, Alfred
Balfour, Rt.Hn.A.J.(CityLond.
Baring, Hon. Guy (Winchester)

Beach, Hn. Michael Hugh Hicks
Bignold, Sir Arthur
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hn. Sir Edward H.
Cave, George
Cavendish, Rt. Hn. Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craik, Sir Henry
Davies, David (Montgomery Co.
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East
Gibbs, G. A. (Bristol, West)
Gurdon, Sir W. Brampton
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashford
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Heaton, John Henniker
Helmsley, Viscount
Hills, J. W.
Houston, Robert Paterson
Kennaway, Rt. Hn. Sir John H.
Keswick, William
Kimber, Sir Henry
Lane-Fox, G. R.
Long, Rt. Hn. Walter (Dublin, S.
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
MacIver, David (Liverpool)
Magnus, Sir Philip
Mildmay, Francis Bingham
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
O'Neill, Hon. Robert Torrens
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Roberts, S. (Sheffield, Ecclesall
Ropner, Colonel Sir Robert
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Stone, Sir Benjamin
Thornton, Percy M.
Valentia, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Sir Frederick Banbury and Colonel Lockwood.

*MR. COCHRANE (Ayrshire, N.) moved to omit from the Solicitor-General's Amendment the words "sustains or," which omission, he thought, would bring the Amendment more in accordance with the views which had been expressed by the President of the Board of Agriculture. If the words "sustains or" were left in as well as the word "incurs" they seemed to refer to two classes of damage. The Civil Lord of the Admiralty accused his hon. friend of whittling down the clause; but he wanted to clear the matter up. He reprobated in the most severe terms the conduct of any landlord who without any sufficient cause discharged a tenant on account of religious or political opinions. Any landlord who did that should incur a penalty. But why should they not express the penalty in terms and let the landlord know what he had to suffer if he was unreasonable? The Government were endeavouring to give material damages for a moral offence. The offence they were aiming at was both moral and intellectual damage, and the two things did not fit in. If they were to meet the offence by inflicting a penalty or giving the tenant a remedy at law against his landlord if he should turn him out for an inadequate cause they would have proceeded upon safer lines. The words which he proposed to omit, however, were either redundant or mischievous. Supposing a man did not get another farm at all, then he would have sustained a loss. This seemed to imply that where a tenant had to leave his holding and could not get another holding in some other place, the expense of quitting the holding would be included in these words "sustains or." In addition to his railway fares, the words might cover any expenditure which his family or stock might sustain in quitting, and a horse breaking his leg might be held to come within it. His sole object was to clear up the matter as far as possible. The Solicitor-General had said that there would be possibly an intelligent arbitrator. If the Solicitor-General had the selection no doubt it would be a very good one, but that would not be the case. Failing an agreement the arbitrator would be selected by the Board of Agriculture. That did not give him the slightest confidence. The Civil Lord of the Admiralty had expressed a doubt that these arbitrators would be members of the legal profession, and if there was any intention to appoint legal agents to come down from England to Scotland and deal with the valuation of stock and crops and land and soil and other complicated questions the northern parts of the country might feel a double interest in regard to the passage of this Bill. He thought a landlord should be subject to a penalty, but he did not think the present penalty was in a reasonable or intelligible form.

MR. WYNDHAM (Dover), in seconding the Amendment, pointed out that confusion might arise if two verbs were used, viz., both "sustains" and "incurs," although no difference would be made.

Amendment proposed to the proposed Amendment—

In line 2, to leave out the words 'sustains or.'"—(*Mr. Cochrane.*)

Question proposed, "That the words 'sustains or' stand part of the proposed Amendment to the Bill."

SIR EDWARD STRACHEY could not assent to the Amendment, as it would reduce the effect of the proposal of the Government. The right hon. Gentleman the Member for Dover had said that the use of two verbs, although it might lead to confusion, would make no difference. If it made no difference what was the use of arguing the matter?

MR. A. J. BALFOUR pointed out that if two such words were put into a clause, lawyers were in the habit of saying that Parliament must have meant to cover two things. The truth was that it was a fault too common in old drafting, though less common now, to imagine that the meaning of a thing was made more clear by its being said twice over. Could anyone say what was added to the clause by the retention of both these words? Let them leave out either "sustains" or "incurs." It did not matter which word was retained. It was a mere matter of drafting. He asked whether the Solicitor-General for Scotland did not think the House would make greater progress if he made this concession in the interest of sound drafting. The Amendment, if accepted, carried no important admissions, and if rejected the clause would simply confuse the mind of the arbitrator. If the words were left out it would make the clause clearer, and therefore for the sake of clearness, which they all ought to aim at, he hoped it would be accepted.

MR. URE quite admitted that the Amendment was more one of style than of substance, and he shared the view that the words of an Act must be of substance because the Courts were very astute in putting more into the words used in Acts of Parliament than those who passed the Acts intended. Therefore the House ought to be very careful what they did. His answer was that suggested by the right hon. Member for Dover. The word "sustains" was more appropriate to the word "loss," and, on the other hand, the word "incurs" was more appropriate to the word "expense." It was rather to point the contrast between the two that they were retained, and it was, he thought, good drafting. If he thought confusion would be created by the retention of these words he would counsel their being struck out, but he thought they conduced to clearness.

MR. A. J. BALFOUR said he was sorry the Government would not accept the Amendment. It was, however, not worth pressing, and therefore he counselled his hon. friend to withdraw it.

Amendment to the proposed Amendment, by leave, withdrawn.

*__MR. EVERETT__ (Suffolk, Woodbridge) moved the omission of all the words after "incurs." It had already been decided that when a tenant was unreasonably disturbed in his holding and dispossessed he ought to be compensated by his landlord, who ought to be penalised. He did not wish to dwell upon the point, because the general bearing of the clause was satisfactory, but he was sure that this, the most important clause in the Bill, would not satisfy the farmers or the moral sense of the nation unless the arbitrator had power to award such compensation. The cases which would occur under the clause would be very few, and when they did occur the landlord ought to be more heavily penalised and the tenant more generously compensated than he would be under the clause without this Amendment. He begged to move.

*__MR. LEIF JONES__ said he desired to second this Amendment, because in his view the words proposed to be left out were too narrow in one respect and too wide in another. When these words were under discussion before it was pointed out that the words "sale or removal" were very wide and the landlords might properly object to them because, if these words were left in, the tenant, on receiving notice, might take little care to protect himself against loss during the last year of his tenure, knowing that he could go before the arbitrator and get full compensation. He need not labour the point of removal, except to call attention to the fact that the arbitrator was to say what was a reasonable distance. All these matters were to be left to a single arbitrator. A landlord, having been guilty of an arbitrary act, was to go before an arbitrator who would certainly not be predisposed in his favour. From this point of view, therefore, the words were too wide. But they were also too narrow, because no compensation was to be given for certain losses that might be incurred through unreasonable eviction. A farmer might have built up a milk business which was dependent on his tenancy of the farm. If he were dispossessed he would necessarily lose his business connection, his profit therefrom, and the livelihood he had built up for himself. If these words were left in he would get no compensation for loss of this kind. But if they were omitted, he would receive the compensation to which he was surely entitled. The relation between landlord and tenant had been described as a partnership. It was a partnership in which the capital interest of the landlord was perhaps four-fifths and that of the tenant one-fifth. If in a case of a partnership the partners found that from incompatibility of temper or for some other reason they could not agree, the rich partner should be willing to compensate the other who was leaving for any loss that his leaving entailed. That should be the case between the landlord and the tenant he was dispossessing. He thought if these words were left out the arbitrator would interpret the clause in that way, and he, therefore, thought it would be fairer in the interest of the tenants to omit them.

Amendment proposed to the proposed Amendment—

"In line 2, to leave out all the words after the word 'incurs.'"—(*Mr. Everett.*)

Question proposed, "That the words 'Upon or in connection with the' stand part of the proposed Amendment to the Bill."

Mr. URE said he was afraid the Government could not accept the Amendment for more reasons that one. In the first place, in drafting the clause in its present form there was no intention that vindictive damages should be inflicted on the landlord. The Government declined to propose a clause of that kind. The clause proceeded on the assumption that the landlord was doing what he was entitled to do and that he was committing no breach of contract in terminating a tenancy. On that assumption the House would agree that it would be quite improper to pay more than the expense that was directly entailed upon the tenant by reason of his quitting the holding. Some arbitrators might consider themselves free to inflict a penalty on the landlords, while others might refuse.

Mr. EVERETT asked leave to withdraw his Amendment.

Amendment to the proposed Amendment, by leave, withdrawn.

*Mr. COCHRANE said that what he desired was that the Government should adhere to the statement made by the President of the Board of Agriculture, in which he did not contemplate the loss on the sale. His words were restricted to the actual cost of the removal in case the tenant was disturbed in his holding. How were they going to estimate loss on sales? The sale would take place presumably by auction, and perhaps the result might fall short of what was anticipated. He wished to know if that unknown sum was to fall as a penalty on the landlord. He would not argue the point, but he would move to leave out the words "sale or." The clause would then read in conformity with the intentions of the President of the Board of Agriculture which he had specifically expressed on two occasions, once in England and once in Scotland.

Amendment proposed to the proposed Amendment to the Bill—

"In line 2, to leave out the words 'sale or."—(*Mr. Cochrane.*)

Question proposed, "That the words 'sale or' stand part of the proposed Amendment to the Bill."

SIR EDWARD STRACHEY said that this Amendment would reduce the value of the Government proposal and weaken the clause; therefore he could not accept it.

MR. ABEL SMITH (Hertfordshire, Hertford) said there had been a certain amount of general discussion with regard to this point, but he thought the House would realise that the retention of the words "sale or" would give rise to all sorts of difficulties in dealing with these matters. What standard was the arbitrator going to set up upon which to ascertain the loss on the sale? There would be endless difficulties which the arbitrator would have to face in carrying out his duties. It was necessary in passing such a clause to have regard to what might happen. The outgoing tenant would have no interest in selling his stock and other things to the best advantage, because he would feel that whatever price they fetched he would be able to recover the difference from his landlord. He thought the word "removal" was quite sufficient, and it was most undesirable to draw the special attention of the arbitrator to the question of sale.

MR. NUSSEY asked if the provision only referred to a sale by auction or to any sale of any part of the produce or stock which might take place during the whole period during which the tenant was under notice.

MR. LAMBERT said he should say it was intended to refer to any sale. If the tenant took a means of selling which disparaged his goods, or did not take the opportunity of selling them to the best advantage, that would come before the arbitrator who would limit the compensation in consequence.

LORD R. CECIL (Marylebone, E.) said that under this clause all the arbitrators would be asked to decide would be the actual loss which the tenant had sustained or incurred by reason of the removal or the sale of his goods. He was inclined to think that the original clause was better than the Amendment which had now been proposed by the Government. If they struck out the words "sale or" they would get rid of one subject of confusion under the Act. With reference to an observation which had been made, he thought the hon. Member for Cardiff District was very much mistaken if he imagined that everybody in this House thought that the principle of the clause was right. He himself regarded it as an exceedingly bad principle which ought never to have been introduced. It was one of the worst features of the Bill, and he trusted the Government would never repeat the experiment.

*MR. CAVE (Surrey, Kingston) asked what there was to prevent a tenant selling his stock or produce by private treaty to a friend of his own at a price below its real value, and claiming the difference from his landlord. It would be very difficult to check any action of that kind, and, apart from any intentional transaction of that character, the tenant would under this clause have no interest in selling his goods at the best price, and would often be careless as to the price at which they sold. Again, if the stock and produce went to auction and were sold at what was known as a "knockout" price, that was to say, considerably below its proper value, the whole of that loss would fall upon the landlord. He thought the compensation might very well be confined to the cost of actual removal. The Minister for Agriculture said in a recent speech that it was the intention of the Government to confine this clause to the cost of removal, and by that he understood him to mean the actual cost of removal, for he did not say a word about sale. He hoped the Government would see their way to leave out the words "sale or."

MR. CORRIE GRANT (Warwickshire, Rugby) said the hon. Member for Kingston had mentioned the case of a tenant who deliberately sold his stock below its proper value. If a tenant did that everybody would know it, and being a matter of notoriety it would be sure to come to the knowledge of the arbitrator.

MR. WALTER LONG said that it did not necessarily follow that it would come to the knowledge of the arbitrator. He would like a more accurate description of the powers of the arbitrator. He knew of nothing in the Arbitration Act which would make it part of the duty of the arbitrator either to take evidence or to hold an inquiry as to whether the tenant had done everything he could to secure the best price for his stock. It did not follow that there would be criminal carelessness, but by injudicious conduct the tenant sometimes got a worse price than he might otherwise obtain. He would like to know definitely whether the arbitrator had any power to take evidence in order to arrive at the value of the property. Of course the arbitrator would visit the farm, but he would not have many opportunities of estimating the actual loss. There was only one way in which the arbitrator could justly discharge his duty, and that was by being in a position to judge the value of the stock both before and after the sale. He knew of nothing in this Bill which would give the arbitrator power to obtain the necessary information. He thought these words were extremely dangerous. The arbitrator ought to have the very widest possible powers to obtain information, because it would rest with him to decide whether the price obtained was a reasonable amount. He was inclined to think that the arbitrator would take into account the general circumstances rather than the actual value. He wished to know definitely whether there was anything that would impose on the arbitrator the task of ascertaining whether the price of the stock obtained was one which represented its fair value and whether every care had been taken to obtain the best price.

SIR W. ROBSON said the arbitrator was not only required but bound to hear any evidence which might be material.

MR. WALTER LONG asked if the arbitrator had power to call for evidence on his own motion.

SIR W. ROBSON said that he had the right to call either of the parties for information. He did not know so much about calling witnesses, but he would be entitled to have the assistance of a qualified valuer or expert, a privilege which he would probably rarely exercise because he would be an expert himself in the matters involved. The arbitrator's duty would not only be to listen to what the parties had to say, but if there were any conflicting statements made by the parties he would have to investigate them and obtain other evidence. In addition to his duties as arbitrator in the strict legal sense, he would act as judge himself. As a valuer he would inform himself as though he were a witness, and he was bound to act upon the evidence each party tendered. Of course the amount of the damages would be largely left to his discretion. If the landlord alleged that his tenant had been careless in regard to the sale and had inadequately or carelessly increased his damages, his opinion was that the arbitrator would not take that into account. He would not punish a man for ordinary carelessness, but if there had been anything in the nature of a bogus sale, or anything of that kind, he would have to take it into account. The arbitrator would be inclined to say, "This is not damage sustained by quitting your holding, but by your own wrongful act." The arbitrator would know what he was about and he would see that the real cause of the damage was deliberately set up by the tenant.

COLONEL KENYON-SLANEY asked if the sale contemplated was a sale by public auction, or whether it was contemplated that there could be private selling of stock between one man and another.

SIR W. ROBSON said there were cases where the man had scarcely any stock to dispose of, but he thought a private sale by the tenant would be treated by the arbitrator as an improper sale. The landlord would have the right to make a tender if he suspected a bad or a dishonest sale. Such a tender would not be binding upon the tenant, but the arbitrator would take it into account. If the landlord said to the tenant, "I will take your stock over at valuation," and the tenant refused, saying he would have a public sale, and then the public sale realised a less amount than that which the landlord had offered, the arbitrator would doubtless hold that the tenant had adopted an imprudent way of getting rid of his goods.

*MR. CARLILE said the speech of the Solicitor-General appeared to him to constitute one of the strongest condemnations of this most unreasonable clause. The statement that the arbitrator would go and see for himself the condition of things when he was called in to arbitrate in the event of a tenant receiving notice showed the utter impracticability of the clause as it stood, because by the time the arbitrator arrived to examine the condition of things all the materials under consideration would have been dispersed. The sheep and the cattle would have been sold, and the horses would be gone, and under such circumstances how was the arbitrator to make sure that anything like a decent price had been obtained? The arbitrator would probably be a man brought from a distance in order to secure impartiality, and he might be entirely ignorant of the local condition of things. It had been stated that the arbitrator could call in witnesses and experts to assist him, but all the expense involved would have to be paid by somebody, and the money would have to be found by the landlord. He did not think it was laid down in the Bill that the tenant would have to pay any portion of the expense. The Solicitor-General's observations just now constituted perhaps the strongest condemnation of the clause. The clause was likely to bring about injustice and hardship.

*MR. LUPTON (Lincolnshire, Sleaford) desired to make a suggestion which, if adopted, would remove the chief objection to this clause. In another industry with which he was connected the Legislature put upon capitalists a heavy burden in certain contingencies which might occur. What did the capitalists do? They formed themselves into a mutual insurance society. Hon. Members who had spoken were quite capable of organising mutual assurance associations in each county to meet the liability created by this Bill. It was stated that the relations between landlords and tenants were extremely good, and if that was so the amount of the insurance would be very small. He was sure that Lloyds and other companies would quote a very moderate rate, if they preferred dealing with an insurance company.

MR. A. J. BALFOUR said he belonged to the much abused class of landlords, and he was not going to insure his neighbours against the mismanagement of their estates. He suggested to his hon. friend that he should not press the Amendment to a division after the speech of the Solicitor-General. He hoped that the Bill conformed to the policy laid down by the hon. and learned Gentleman. He entertained some scepticism on the subject, but he did not think they would gain much by pressing this Amendment.

*MR. COCHRANE asked leave to withdraw the Amendment.

Amendment to the proposed Amendment, by leave, withdrawn.

Question, "That those words be there inserted in the Bill," put, and agreed to.

MR. GARDNER (Berkshire, Wokingham) moved to insert after "holding" words to provide that where the landlord gave to the tenant two years notice to quit he should be deemed to have acted reasonably and with good and sufficient cause within the meaning of this section. His object was to enable landlords and tenants to avoid the litigation which was threatened by this clause. He fully admitted that there were hard cases where the tenant ought to have a remedy for loss occasioned, often unintentionally on the part of the landlord. He was bound to acknowledge that his mind was in a fog as to the full scope of the clause and as to the results that might follow. He would give one illustration. Cases were not unknown, and perhaps they would be more frequent in future, when portions of an estate had to be sold to pay estate duty. In order to sell the landlord must of necessity give the tenant notice. That being so, would the landlord have to pay not only estate duty but also compensation to the tenant for what the State compelled him to do? The tenant might think so, and he might get the arbitrator to agree with him. What was reasonable or unreasonable might be a matter of opinion, and there might be no end of litigation and cost where there was a difference of opinion between the landlord and the tenant. If they could find a way out of this difficulty surely they ought to adopt it. The tenant would always be in doubt as to what he was to have under this clause.

Amendment proposed to the Bill—

"In page 3, line 25, after the word 'holding,' to insert the words, 'Provided that where the landlord shall give to the tenant two years notice to quit he shall be deemed to have acted with good and sufficient cause and consistently with good estate management within the meaning of this section.—(*Mr. Gardner.*)

Question proposed, "That those words be there inserted in the Bill."

Sir EDWARD STRACHEY said he appreciated all the hon. Member had said. He would gladly accept the Amendment if he could, but it would cause difficulties. It was better not to make these exceptions. They were putting a new obligation on a class of landlords with whom he had no sympathy, and he was not prepared to make it any easier for them.

Question put, and negatived.

Mr. ABEL SMITH moved to insert a proviso setting forth a scale which the compensation should not exceed. When the Bill was under consideration by the Grand Committee upstairs it was pointed out that what he now proposed was introduced by Mr. Gladstone into the Irish Land Act of 1870. The case in favour of compensation for disturbance was very much stronger in the case of Irish tenancies than in the case of English or Scottish tenancies; but Mr. Gladstone thought it necessary when introducing the principle of compensation for disturbance in Ireland to provide for a limit to the compensation to be paid to the tenant. As they all knew, the circumstances in England and Scotland were quite different from those in Ireland, and the case in this country for compensation for disturbance was not nearly so strong as in Ireland. He therefore thought that it was only logical and consistent that in a Bill dealing with England and Scotland there should be a limitation of the amount of compensation to be awarded. He did not profess himself to be an admirer of the scale, but as it was the scale of the Land Act of 1870, he thought the suggestion contained in the Amendment worthy of consideration by the Government who might in another place amend it. He begged to move.

Mr. HICKS BEACH (Gloucestershire, Tewkesbury) seconded the Amendment.

Amendment proposed to the Bill—

"After the words last inserted to insert the words, 'Provided that the further compensation awarded under this section does not exceed the scale following (that is to say)—Where the assessment of the holding to property tax under Schedule A does not exceed ten pounds a year, an amount equal to one hundred per centum of such assessment; where such assessment exceeds ten pounds, but does not exceed twenty-five pounds, eighty per centum of such assessment; where such assessment exceeds twenty-five pounds, but does not exceed fifty pounds, sixty per centum of such assessment; where such assessment ment exceeds fifty pounds, fifty per centum of such assessment; but in no case shall such compensation exceed the sum of two hundred and fifty pounds.' "—(*Mr. Abel Smith.*)

Question proposed, "That those words be there inserted in the Bill."

Sir EDWARD STRACHEY said that there was no general feeling that a scale should be introduced, however desirable it might be in some cases. He would remind the hon. Gentleman that this clause was very much wider when originally introduced than it was at the present moment. A difficulty in connection with a scale was that the compensation granted under it might be either too small or too great. In the case, for instance, of a small holding the assessable value of which was £10, the maximum compensation to be given would be £10. It was quite conceivable that where in such a case a man had been harshly and capriciously convicted, £10 would not compensate him for the loss incurred. On the other hand, in another case where the maximum amount of compensation to be paid was £250, it might be too much. It had also to be considered that when a maximum was put into an Act of Parliament the arbitrator was very likely to take it as the minimum. There was likewise a risk that in introducing a scale it might be taken as a sort of indication that in all cases when a tenant left a claim for compensation should be put in. He was afraid he could not accept the Amendment.

COLONEL KENYON-SLANEY said that there had been a very interesting discussion on this question in the Committee upstairs, and the necessity of introducing a limit in Ireland had considerable weight with the Committee. He thought that some limit, not necessarily based on the scale proposed by his hon. friend, but in that direction, might be considered by the Government, and on mature reflection introduced when the Bill went elsewhere.

MR. LAMBERT hoped there was no idea on the part of the House that the Government would accept a scale. The only argument used by the mover of the Amendment was that it was based on the Irish precedent, but he had always thought that the Irish precedent disgusted hon. Gentlemen opposite. He would invite the hon. Gentleman to look at his own scale. By it the tenant of a holding not exceeding £10 assessable value might be capriciously evicted and turned out into the world, and the only compensation he would receive would be £10. That was ridiculous. Or in another case, where the assessable value was £50 and the tenant was turned adrift to go to a new neighbourhood and find a new farm, thereby incurring great expense and loss, the compensation to be given was only £25, which also was quite inadequate. He was sure that the hon. Gentleman would acknowledge on reflection how impracticable his proposal was. For his part he maintained that limitations of this nature were dangerous.

MR. WYNDHAM said that some limitation had been found to be wise in the case of Ireland, and he thought that there should be also some limitation in the case of England. However, they could not carry the matter much further at present, but it deserved consideration, and he trusted it would receive that consideration at the hands of the Government later on.

*MR. LEIF JONES sincerely hoped that the Government would not give more consideration to this matter, and that they would not recede one inch from the position they had now taken up The fact was that the clause had been so limited by the words already put in that it would be a positive mockery of tha hopes of the tenants to insert any further limitation

MR. GUEST thought it was unfortunate that the Government would not accept a maximum penalty for disturbance. He saw they had made up their minds not to accept this Amendment, but he thought that in the interest of the clause and of good legislation it was a great pity that they had not seen their way to adopt the principle.

Amendment, by leave, withdrawn.

SIR W. ROBSON moved formally—

"In page 3, to leave out lines 27, 28, and 29, and insert the words 'any matter under this section.'"

The Amendment was, he said, purely a drafting one, and it had been found desirable to have more general words.

Amendment agreed to.

SIR FREDERICK BANBURY moved an Amendment to provide that any difference arising under the clause should be settled in the County Court instead of by arbitration, as provided by the clause. His object was that they should have a trained legal mind to consider all the complicated questions which would arise under the Bill instead of an arbitrator who had had no such experience. During the course of the debate nothing had been more clearly shown than that the questions which would have to be put to the arbitrator went far beyond the knowledge which arbitrators ordinarily possessed. They would be questions requiring legal knowledge and training, and therefore if a just decision was to be given it was essential that they should have as the judge a person who was conversant with the law and understood its phraseology. The objection to his Amendment might be that the expense would be very much increased, but he believed that the costs of proceeding before a County Court Judge were extremely reasonable as compared with ordinary legal proceedings. Moreover, one hon. and learned Member had said it was a mistake to suppose the proceedings under arbitration were generally economical, and that, as a rule, those proceedings were generally exceedingly lengthy and expensive.

Mr. MICKLEM (Hertfordshire, Watford) seconded, and said he thought it was better to take these cases into a Court of law so that the whole matter in dispute between landlord and tenant should be decided in public and everyone would know what had taken place. It seemed to him that the hon. Member's Amendment was one of extreme gravity, and, speaking for himself, he thought that it was of the utmost importance that these matters should be discussed in open Court. The clause had been emasculated to a very great degree in order to meet the views of hon. Members opposite, and, as he ventured to think, it had been changed very much for the worse. It was a clause which would hit very few landlords. It would not affect hon. Members who owned land, who no doubt were reasonable and just landlords. It would only affect men who had no regard for their fellow men, and therefore these cases should be tried in the way suggested, and he thought that the County Court was the best tribunal that could be chosen for the purpose. The cases would no doubt be few, but he thought they would be more numerous than hon. Members imagined. It happened in his division that one of the most influential and largest of the territorial magnates when a Bill of this kind was proposed in Parliament, sent round to all his tenants and asked them whether, if by chance it became law, they would undertake to accept notice to quit their tenancies one month before it came into operation. The way in which the tenants read it was that unless they accepted the suggestion they would get a notice to quit, and his submission was that notices of that kind given in order to evade the consequences of Acts of Parliament were not right, and it was of the utmost importance that the tenants in such cases should be able to go into the Court and state in public the way in which they had been treated. It was, moreover, not by any means an unusual thing for landlords to obtain from their tenants an undertaking that, notwithstanding the Ground Game Act, they would not shoot ground game or destroy them. If by any chance the undertaking, which ought not to be given, was not given, the tenants received notice to quit, and if, having given the undertaking, a tenant shot ground game, the same result followed. Such matters should not be decided by a private arbitrator, but everybody should be able to see whether the compensation awarded for an eviction in such a case was right or wrong. Although landlords of that class were not numerous they existed in too large a number, and he could prove that men in his division had been turned out of their holdings for no alleged reason, and apparently for no reason except that they happened to be his supporters. There were many men who held their tenancies from large landowners and who knew that if they wished to vote for a Liberal their only safeguard was the Ballot Act.

Amendment proposed to the Bill—

"In page 3, line 31, to leave out the words 'arbitration as hereinbefore provided' and insert the words 'a County Court.'"—(*Sir Frederick Banbury.*)

Question proposed, "That the word 'arbitration' stand part of the Bill."

Sir W. ROBSON said he could not imagine anything more against the interest both of landlord and tenant than that in any dispute that might arise between them they should be forced into a lawsuit. The arbitrator would be an expert agriculturist who would be able to visit a farm and assess damages without being instructed by costly valuers, thus saving the parties great expense. The Judges of the County Court would not take anything but the strictest proof supported by the strictest testimony on every point of the issue, and that would mean that each party would have to employ solicitors and counsel. That would be some expense but not the whole, because they would have to have a good valuer and a good witness, a very expensive article. Even that was not all, because if one party found that the valuer on the other side was equal to his own he might have to have another. There had been cases in his experience where, in cases which were quite inadequate to the expense, three valuers had been engaged. Litigation was a very bad industrial process whether before an arbitrator or a Court of law. But if it were to be resorted to at all let it take place, if possible, before men who judged the matter right off for themselves without having to be informed by costly counsel and costly witnesses.

SIR E. CARSON said he had listened with amazement to the hon. and learned Solicitor-General. When his mind reverted to the series of Land Acts for Ireland passed by the Party of which he was a member he could only regret that the hon. and learned Gentleman was not Solicitor-General at the time to point out the great difficulties and expense of such disputes as occurred between landlord and tenant. The most trivial actions in Ireland not only went before such a tribunal as the hon. and learned Gentleman had described, but in addition there were rights of appeal which ultimately brought them before distinguished appellate Courts of the most elaborate description. So long as the process that an arbitrator had to go through was the deciding of simple questions between landlord and tenant it was desirable to have such a tribunal, and such was the case under the present Act. But under this Bill the question they would have to decide would involve the payment of considerable amounts of money. It was a very different thing to the ordinary debt collecting action in the County Court, where small sums of £5, £10 or £15 were dealt with. Yet nobody had ever suggested that a process of compulsory arbitration should be set up for those actions. The hon. and learned Gentleman said that in questions of this kind they ought not to put the parties to the expense of proving their case, and that they ought not to insist upon having solicitors and witnesses and matters of that kind. But even in arbitrations they had to have all these expenses. The truth of the matter was that a tribunal was to be set up in the nature of one arbitrator who would have to decide questions just as difficult as any question that ever came before the High Court. At the same time this was to be done in a Bill which compelled the parties to go before one arbitrator instead of going before two arbitrators and an umpire. First of all the valuer had to decide whether he had jurisdiction; whether the case came within the preliminary words of the section. He first had to decide whether the landlord had acted "without good and sufficient cause." Was that a simple matter which an ordinary valuer could be expected to decide? Then he had to decide the reason. If the Solicitor-General was not removed from practice by the office which he held he would see that these words opened up a vista of litigation which would bring gladness and joy to the hearts of those, at all events, who were in an expectant condition. Why was a valuer to put his own interpretation on the words "reasons inconsistent with good estate management?" He had listened to this debate with interest and without hostility, because the enactments of England were so very mild when contrasted with those passed by this House for Ireland, and he almost wondered why there was any discussion at all. But taking an English point of view, with an Irish accent, he really did see that this unfortunate individual, who was apparently to be selected from the community of men who knew something about land and nothing of law, might decide something that the House did not intend him to decide when it passed this Bill, and which might lead to a large monetary concession being made by the person who happened to possess the land. To leave all these questions to this interesting individual seemed to him to lay down the principle that all our elaborate judicial system was unnecessary. They were throwing on this valuer such difficulties that it would be impossible for him to cope with them, and if he went wrong he was not surrounded by those safeguards with which it was necessary in the ordinary and general methods of litigation to surround even the County Courts. This was an absurd tribunal to set up to determine all these complicated questions. Where they laid down a difficult series of questions of this kind they ought to set up a competent tribunal or such a method of adjudicating as would enable them to question what was done if it were not in conformity with the Act of Parliament.

Mr. CORRIE GRANT said he desired to deal with the point which the right hon. and learned Gentleman who had just sat down had touched upon—the question as to what was the right machinery to employ in dealing with this matter. He thought there could not be a worse advocate on behalf of the Amendment than the right hon. and learned Gentleman, because first of all he spoke as an Irishman. Then the right hon. and learned Gentleman had no experience whatever of agricultural valuations in England, and his only experience in the County Courts, so far as he could ascertain, was that he had been sued there for £15.

Sir E. CARSON: If the hon. and learned Gentleman wishes me to contradict him, it is not so.

Mr. CORRIE GRANT argued that he was justified in drawing from the evidence before him the conclusion that the right hon. and learned Gentleman must have gone there as defendant. He was certainly of opinion that the right hon. and learned Gentleman knew little about County Courts and nothing about agriculture. He had tried to take an English point of view with an Irish bias obtained from his experience of the Irish landlordism which had got Ireland into a state which this House and previous Houses had tried to remedy, because bad landlords had been allowed to become the dominant class. What was aimed at in this Bill was to punish bad landlords and let good landlords alone. The right hon. and learned Gentleman had been the advocate of the worst landlordism the world had ever seen, and was the last man to come to this House and offer suggestions as to the way in which the House should deal with landlordism. The right hon. and learned Gentleman asked how a poor valuer was to know what was good estate management. How, then, was a poor lawyer to know? The valuer above all persons was surely the right person to whom the matter should be referred. A County Court was the worst possible place to go to. County Court Judges as a general rule were a very useful class, but for some years past the standard of those Judges had not been kept up to the level which it previously attained.

Mr. WALTER LONG: That is absolutely untrue.

Mr. CORRIE GRANT said he would simply say that in his judgment the standard of County Court Judges in the last ten years had not been kept up to the standard which it previously attained.

Mr. WALTER LONG, on a point of order, asked whether it was competent for an hon. Member to arraign first the late Lord Chancellor and then the capacity of the existing County Court Judges.

Mr. DEPUTY-SPEAKER said he had not gathered that the hon. and learned Gentleman was arraigning the late Lord Chancellor; but with regard to the question of the County Court Judges, he thought it was a little irrelevant, and, at any rate, it was an argument that ought not to be used in this House.

Mr. WALTER LONG said the hon. and learned Gentleman explicitly stated that the late Lord Chancellor had not maintained the standard of excellence of county court judges which had been maintained by his predecessors.

Mr. J. WARD asked whether it was not competent, when considering whether cases under this Bill should be submitted to a certain tribunal or set of tribunals to discuss the ability of those tribunals to settle the matter placed before them.

MR. DEPUTY-SPEAKER said the point of order was whether the County Court Judges ought to be attacked in this House. He had stated that in his opinion they ought not to be attacked.

MR. CORRIE GRANT said he thought he was within the mark, but being out of order he would apologise and leave the point. They were discussing the question as to whether the valuer or the County Court Judge was the better person to deal with this matter. He wished to argue the case of the valuer strongly as against that of the County Court Judge. The valuer was a trained expert on all questions of land value, and he only could decide what was good estate management.

MR. HICKS BEACH remarked that the charge of causing a certain amount of obstruction had been brought against the Opposition; but the speech of the hon. and learned Member for Rugby was the most obstructionist speech that had been made in the course of the debate.

*MR. DUNN (Cornwall, Camborne) said that he did not suggest that County Court Judges were not perfectly competent to decide the questions at issue under this clause, but, although he should have perfect confidence in a County Court Judge—and he had had a little experience in matters of this kind—deciding the reasonableness or sufficiency of the removal, he thought arbitration was the better tribunal to settle the amount of compensation payable for disturbance. When the Bill was before the Grand Committee he proposed an Amendment dealing with the word "compensation," having in view the doctrine of the remoteness of damage. He was assured that it was unnecessary to discuss that question, because the tribunal to settle the matter would be an arbitrator and not a Judge. As was well known, an arbitrator was not bound so hard and fast by legal doctrines as a County Court Judge or a High Court Judge in regard to the remoteness of damage. In consequence of that assurance he withdrew his Amendment. If a claim under the section came before a Judge of the County Court or of the High Courts, they would find that nearly every kind of damage that could be suggested would be held to be not recoverable on account of the doctrine of remoteness of damage, whereas if an arbitrator dealt with it he had a more ready and more satisfactory way of assessing such damage. In deciding this matter they ought not to lose sight of this exceedingly dangerous limitation as to what constituted recoverable damage.

MR. LUPTON said he had not the slighest doubt as to the competency of the Judges or the brilliancy of advocates, but he did say that in the Judges' Courts it was as a rule impossible for the parties to get any justice, because it was not justice when costs were more than the matter was worth; therefore, the tribunal which the Bill proposed to set up waa a step in the right direction. There would be a competent man to investigate the case himself, to go upon the land, and be both Judge and witness in his own person. That was what was wanted in this and many other matters before there would be anything approaching simple justice in this country.

Amendment negatived.

Amendment proposed to the Bill—

"In page 3, line 31, to leave out the words 'as hereinbefore provided.'"—(*Mr. Lambert.*)

Amendment agreed to.

*MR. BERTRAM (Hertfordshire, Hitchin) moved an Amendment to add at the end of Clause 5, the words "Any compensation paid under this section by the landlord, being a tenant for life or other limited owner of settled land, may be repaid to him by the trustees of the settlement out of capital monies in their hands." He did not desire to take up the time of the House by discussing this Amendment or going to a division if the Government would not accept it; but it occurred to him that circumstances might arise in which, however arbitrarily the landlord acted as between himself and the tenant, it might be that his action was for the benefit of the estate and the Amendment would in such circumstances allow the tenant for life to be recouped for his outlay under the section.

SIR FREDERICK BANBURY seconded.

Amendment proposed to the Bill—

"In page 3, line 1, at the end, to insert the words—'Any compensation paid under this section by the landlord, being a tenant for life or other limited owner of settled land, may be repaid to him by the trustees of the settlement out of capital monies in their hands.'"—(*Mr. Bertram.*)

Question proposed, "That those words be there inserted in the Bill."

MR. URE said the Government could not accept the Amendment as it was outside the scope of the clause, and raised matters which ought to be considered when the Statutes of 1883 to 1900 were considered.

SIR E. CARSON said many cases might arise where a man who was only a tenant for life might find great difficulty in procuring the necessary funds for the purpose of compensating the tenants; and, in reality, this particular charge put upon the landlord was very much in the nature of a capital charge.

MR. WALTER LONG said the section of the Act of 1883 did not touch the difficulty they had to face. He agreed that if the tenant for life was guilty of the conduct which made this clause applicable he ought to pay out of his own interest, but there were a great many cases in the part of England where he came from in which the existing tenants for life had not got the money out of which they could pay. In the great majority of those cases debts had been created by their fathers and grandfathers, very often for estate development and the improvement of the farms, and there were many properties the fee simple of which was not equivalent to the money spent by the tenant for life in his endeavour to improve them. In a case of that kind, out of what monies was the compensation to be paid?

MR. BERTRAM asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

SIR FREDERICK BANBURY moved the omission of Clause 6 on the ground that it was retrospective. The Market Gardeners' Compensation Act was passed by a Radical Government.

MR. CORRIE GRANT said the Act was brought in by a Conservative.

SIR FREDERICK BANBURY said the Act was passed in April of 1895, and the Conservative Party did not come into office until July or August, 1895. The Act of 1895 expressly provided in Clauses 3 and 4 that there should be no retrospective interest. This Bill, brought forward eleven years after the passing of that Act proposed to enact that tenants of market gardens, or their executors, might go back to 1874 and claim from landlords compensation for improvements when the landlords were under the impression that they had no liability. It seemed to him that folly on the part of hon. Gentlemen opposite could not go further than that. It was almost inconceivable that hon. Gentlemen could be so foolish. What security was left in any property at all if they were going to bring in Bills to say that people were to have compensation for something that occurred thirty-two years ago? Who was to prove what happened then? There was no excuse for this proposal on the ground that hardship had arisen from fraud on the part of anyone, or that something was done to induce the tenant to enter into a foolish bargain. The only reason he could make out for this proposal was that the landlord was a wicked man, and that anything that could be done to injure him was a good thing.

MR. COURTHOPE seconded the Amendment.

Amendment proposed to the Bill—

"In page 3, line 32, to leave out Clause 6."—(*Sir Frederick Banbury.*)

Question proposed, "That the words of lines 32 and 33 stand part of the Bill."

MR. URE said the Government did not propose this Clause because the landlord was a wicked person. He supposed a landlord looked after his own interest as other people did. The Departmental Committee which was presided over by a gentleman of unimpeachable Tory instincts reported in favour of this proposal. In Scotland a decision was given by the Courts some years ago to the effect that the improvements for which a tenant was entitled to claim compensation must have been executed after the passing of the Act of 1895. He was not entitled to bring an action for compensation for improvements made before the passing of that Act. [AN HON. MEMBER: Good law.] It might be a very good thing, but the Government thought it was wrong, and it was to set that right and to give effect to the recommendation of the Departmental Committee that this clause was proposed.

COLONEL KENYON-SLANEY said he had received a letter from the hon. and gallant Member for the Evesham Division of Worcestershire, who had taken a special interest in this subject. The hon. Member had been suddenly laid up by illness and he was very anxious that his opinion on a point in which he was interested should be made known. The hon. Member wrote that the Departmental Committee were unanimously of opinion that the Act of 1895 only broke down in consequence of a legal flaw in regard to the question of compensation, and that they were also of opinion that the Act should be amended.

MR. ROWLANDS (Kent, Dartford) supported the decision arrived at by the Committee upstairs. The hon. Baronet the Member for the City of London thought the Government were foolish in proposing this Clause. He was pleased to find that the Government intended to stand by it. The Act of 1895 had been a great boon to the market gardeners.

MR. LAURENCE HARDY said he had always been rather adverse to the clause on account of the peculiar character of the conditions in it. His objection had been removed by the argument of the Solicitor-General for Scotland that it was in accordance with the recommendation of the Departmental Committee. He hoped the hon. and learned Gentleman would be equally ready to carry out the recommendations of that Committee in regard to other matters dealt with in the Bill.

SIR E. CARSON said the point before the House was really a very small one. The improvements dealt with by the Act of 1895 were only those which the market gardener had made with the knowledge of the landlord. If the tenant had been executing anything wrong the landlord had a right to object to it. He hoped his hon. friend would withdraw the Amendment.

SIR EDWARD STRACHEY said it was necessary to vote on the Question as put from the Chair, as he had given notice of a drafting Amendment to omit lines 32 and 33.

Question, "That lines 32 and 33 stand part of the clause"—put, and negatived.

Amendment proposed to the Bill—

"In page 3, line 35, to leave out from '1895,' to the end of the clause, and insert the words, 'and section four of The Market Gardeners' Compensation (Scotland) Act, 1897, shall apply to improvements executed either before or after the dates of the commencement of those Acts respectively if executed after the holding commenced to be in use or cultivation as a market garden with the knowledge of the landlord.'"—(*Sir Edward Strachey.*)

Question proposed, "That the words proposed to be left out to the word 'at' in line 38, stand part of the Clause."

SIR E. CARSON said he should like to know what was the difference between the new clause and the old one. He really did not know what was the Scottish Act which was to supersede the English Act.

MR. URE said that the object of the Amendment was to make the clause equally applicable to England and Scotland.

Question put, and negatived.

Proposed words there inserted in the Bill.

Subsequent words of Clause 6 left out of the Bill.

*Mr. LANE-FOX (Yorkshire, W.R., Barkston Ash) said that, in moving to leave out Clause 7, he wished to say that since the Bill had been brought before the House the Amendments to this clause to be proposed on behalf of the Government would modify to a certain extent his objection to it. He thought, however, that those who opposed the Bill had been treated all through with rather scant courtesy by the Government, because Amendments had been put down on the Paper without giving proper opportunity to hon. Members to consider their full effect. It seemed to him that even after the clause was amended as proposed by the Government the tenant might still have the opportunity of entirely altering the whole character of the holding without obtaining the consent of the landlord. If the holding was turned into an orchard, or a fruit farm, unless the alteration effected really constituted an improvement the arbitrator would not allow compensation, but what would be the position of the landlord if the experiment turned out a complete failure? The landlord would have the holding on his hands completely ruined, the tenant was broken, and all that would be left to the landlord would be to restore the farm at considerable cost to a course of ordinary cropping, which might take three or four years. He thought, therefore, that anyone would say that from a landlord's point of view this was not a fair clause. But it would also inflict a great hardship on many tenants. For years past on all well managed estates, and the vast majority of them were well and creditably managed, it had been the duty of the landlord to carry out ordinary repairs. It was now suggested by this clause that that duty should be taken from the landlord and put on the tenant. If this clause was passed many landlords would be severely tempted to say to the tenant, "You can do these repairs yourself, and charge them to me." In that way the landlord would be able to effect, especially in cases of succession ,considerable economy. When it was pointed out to farmers that the effect of this Land Tenure Bill when passed would be that they were to have the duty of executing repairs, and of spending their capital in maintaining buildings, they would not think that they had any cause to be grateful to the Party which passed it. The hon. Member who represented the Board of Agriculture had in the course of speeches dwelt upon the fact that there were a number of cases in which the landlord would not do so much for his tenants. He granted that that might be the case on estates which were under trustees, or mortagees, or colleges; but surely it would be a hardship to penalise the thousands of tenants farming under good landlords for the sake of penalising a small minority of tenants farming under bad landlords. What he was afraid of was that, if this clause were passed, in a very short time the landlords in England would be put in the position of the landlords in Ireland, and would completely throw the burden of repairs on to the tenants. He earnestly hoped that hon. Members on both sides of the House would consider seriously before they adopted a clause of this sort. For many years past on the great majority of estates in this country, good relations had prevailed between landlords and tenants, and he thought it would be the greatest mistake for the House to bring about a change in the system under which the landlord was always prepared to do his best for his tenants, and to substitute for it a system under which the landlord would become a mere rent-charger, or collector. He thought that that would lead to disaster.

*Mr. HICKS BEACH (Gloucestershire, Tewkesbury) seconded the Amendment. It had appeared to him for a long time past that this clause and Clause 5 were the most important clauses of the Bill. He regretted that up to the present His Majesty's Ministers had not let the House know at all what their feelings were about this clause. An Amendment on the Paper in the name of the hon. Baronet went a long way to meet the objections which they on that side had felt, but he had hoped that they would have some definite assurance from the hon. Baronet in charge of the Bill that the repairs to buildings alluded to in his Amendment were to be only ordinary and not structural repairs. He would give an instance of the difference. He knew of one case in which the tenant dealt in horses and he wanted some pig-sties, that were in need of repair, transformed into horse-boxes. The landlord replied that if the tenant wished this done it must be carried out at his (the tenant's) expense, as, though the boxes might be useful to the sitting tenant, they would be of no use to an incoming tenant who did not deal in horses. Accordingly the pig-sties were repaired but not transformed, and a few years afterwards the tenant told his landlord that he was quite right and he (the tenant) was quite wrong in the matter and he was glad the pig-sties had not been converted into horse-boxes. He admitted that where a tenant did carry out an improvement he should be compensated. But ordinary repairs as a rule could be done much cheaper by the landlord than by the tenant; though no doubt there were sometimes cases in which the landlord, being short of cash, asked the tenant to do the repairs and said he would allow for them when the tenant quitted the holding. There were other sub-sections of the Bill to which he had the greatest objection. Sub-sections (3), (4), and (5) were amongst these. Under them an estate might be completely transformed without the landlord having any say in the matter. Hon. Members had referred to the declarations of Chambers of Agriculture on this Bill, and he would like to draw their attention to the declarations of the Central Chamber of Agriculture. Sub-section (1) passed with a small majority, sub-section (2) was negatived by twenty-one to eleven, and sub-sections (3), (4), and (5) were negatived altogether without anyone caring to vote in their favour. He thought that was a pretty intelligent opinion of the Chambers of Agriculture which hon. Members were so fond of quoting. He should like to refer to sub-section (3) which invited the tenant to plant orchards. A tenant might think that an orchard would prove remunerative but after having planted one he might have, through no fault of his own, to leave the holding in three or four years. It was quite possible for the orchard at the time he left to appear to be in a flourishing condition. The valuer might come round and say it was a very good orchard and improved the holding, but it was quite impossible to tell until the orchard trees had been growing for a considerable number of years whether they improved the holding or not. Apple trees, for instance, might look very well for three or four years, but after that period their roots might get down into a different subsoil, the trees might fail, and instead of improving the holding they might deteriorate it. He would like also to call attention to the claims of incoming tenants; for, although the tenant who was leaving might have had his particular fancy methods of farming it did not follow that the incoming tenant would appreciate those methods. The House should look at the interests of incoming tenants, and they should also see that the landlord had some final decision as to how his property was to be dealt with. He knew that as the result of this Bill being introduced various landlords had given notices to their tenants, because they found that under this clause their estates might be entirely transformed, and they felt they might grow into estates which they did not wish to hold. Therefore they intended to take the land over themselves; a policy which no one could blame them for adopting, but which would not be to the advantage of the race of tenant farmers. He cordially supported the Motion of his hon. friend for the rejection of the whole clause.

Amendment proposed to the Bill—

"In page 4, line 4, to leave out Clause 7."—(*Mr. Lane-Fox.*)

Question proposed, "'The following improvements shall be' stand part of the Bill."

SIR EDWARD STRACHEY, while he objected to the Motion to reject the whole clause, thought it would be convenient if he indicated the Amendments he proposed to move to the clause. It had been objected that there had not been sufficient notice of the Amendments, but as far as possible they appeared upon the Paper. There had been a certain amount of give and take in the discussion, and under these circumstances there could be no cause of complaint if it was found necessary to put down Amendments the night before the discussion came on. Subsections (1), (3), (4), and (5) would be omitted, so that the laying down of pasture, planting of orchards and fruit trees, planting of strawberries, and planting of asparagus, or other vegetable crops, which continued productive for two or more years, would disappear from the list of improvements for which the consent of the landlord would not be required. As to Clause 7 itself, his intention was in line 4 to leave out "two" and insert "three," and then to move "the following improvements shall be included under the Act of 1900." The object of doing that was to make the clause workable. Further, he would propose to leave out the subsection in reference to repairs and substitute—

> "Repairs to buildings, being buildings necessary for the proper cultivation or working of the holding, other than repairs which the tenant is himself under an obligation to execute."

If these Amendments of his were not carried the tenant would have under Part II of the schedule of the Agricultural Holdings Act of 1900, in the case, say, of drainage and other works, to give notice of his intention to execute repairs, and then the landlord would have not less than two or three months in which to do them, which would not be reasonable, because it might be necessary to execute the repairs at once. For instance, suppose a cowshed had been blown down by a gale it would be necessary to repair it at once. Then, again, the landlord under Part II had the right to execute repairs and charge the tenant 5 per cent. or other interest which, with a sinking fund, would pay off the whole amount in twenty-five years. That was to say the landlord would be able as the Amendment stood now to charge the tenant for repairs which he ought to do himself. Therefore it was necessary to put in the Amendment which he proposed. He was just merely indicating what the Government proposed to do on this clause in order that he might facilitate matters, and when he got further on he would deal with particular points, such as why they did not consider it desirable that the planting of orchards should be left to the option of tenants alone. He himself could give instances as to why it was necessary to amend that. As a west countryman he had had a good deal of experience in planting orchards, and although at first it might seem that the orchard was satisfactory, in five or six years it might fail, simply because he had not taken the right kind of apple or selected the right aspect. He was quite ready to look into this matter, and he hoped, therefore, the House would allow the business to proceed.

MR. WALTER LONG said the observations of the hon. Baronet were obviously satisfactory to those who would have opposed the clause if it had been in its original form, and therefore there was nothing to be said. He would only make one comment, namely, that it was obviously desirable in respect to such repairs to buildings as were indicated that it should be necessary to give notice to the landlord. He rejoiced that the Government had taken the line they had, because he himself was responsible for the passing of the Act of 1900. In the case of that Bill many consultations were held with practical agriculturalists all over the country, and as a result of those conferences the question was dealt with from a purely agricultural point of view. He was sure the Government had taken a wise course in adopting the Amendments suggested, because, however desirous they might be to give the occupier a full and fair return for his capital, they had no right by this Bill to allow a man to take a farm and turn it into a holding of a different kind and then if the experiment failed to call upon the landlord to compensate him.

MR. LAURENCE HARDY said they were all grateful for the concessions that had been made. He wanted it made clear whether under this Amendment sub-sections (3), (4) and (5) went out or appeared in the Bill in some other form.

SIR EDWARD STRACHEY said they went out.

MR. LAURENCE HARDY said he was glad the Government saw that it would be unwise to persist with regard to subsection (1), which was distinctly against the interests of the agricultural labourers, and he was glad they had been able to yield with regard to sub-section (3). It was, he thought, wise on the part of the Government now to acknowledge that they had agreed in respect to the last clause that the recommendations of the Committee upon Fruit Culture should be considered.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 4, line 4, to leave out 'two' and insert 'three.'"—(*Sir Edward Strachey.*)

Amendment agreed to.

SIR EDWARD STRACHEY said he now moved the Amendment dealing with the question of repairs to buildings. The object of putting in these words was to safeguard the interests of the landlords and prevent them from being compelled to repair old barns, and so forth, which were not necessary owing to the laying down of permanent pasture. There were many such buildings on the land which were not necessary "for the proper cultivation of the soil," but which had been left because the tenant might be able to use them as cart sheds, and so forth. It would be a very hard thing to make a landlord keep in repair buildings which were not necessary. He begged to move.

Amendment proposed to the Bill—

"In page 4, to leave out lines 6 to 10, inclusive, and insert the words, 'Repairs to buildings, being buildings necessary for the proper cultivation or working of the holding, other than repairs which the tenant is himself under an obligation to execute.'"—(*Sir Edward Strachey.*)

Question, "That the words proposed to be left out stand part of the Bill," put, and negatived.

Question proposed, "That those words be there inserted in the Bill."

MR. ABEL SMITH congratulated the hon. Baronet on the manner he had dealt with this important clause. He would like to ask whether the hon. Gentleman would consent to add that such repairs should not include structural alterations and repairs. He did not suggest that on behalf of the landlords but on general grounds. He thought a tenant should not make structural alterations, because when the tenancy came to an end it might be difficult to say what the compensation should be.

MR. J. WARD moved to strike out the words "repairs which the tenant is himself under an obligation to execute," and to insert in their place "making good reasonable wear and tear." He thought the House would agree that in almost every clause of this Bill as it had been adopted they had been extremely careful to avoid nullifying those clauses by any agreement that might be forced upon the tenant by the landlord. If, however, the words he asked to have struck out were kept in it would be only necessary for the landlord to make a new lease insisting upon a clause including all repairs such as he himself might decide were necessary, and the consequence would be that it would entirely shut out any compensation for repairs. He had a historical precedent for the words "reasonable wear and tear," which were included in a famous Act passed a few years ago.

Amendment proposed to the proposed Amendment—

"To leave out all the words after the word 'than' and add the words 'making good reasonable wear and tear.'"—(*Mr. J. Ward.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment to the Bill."

SIR EDWARD STRACHEY said the amount of repairs for which a tenant was himself liable were very small indeed. As a rule, the landlord did all repairs, but he did not think it was unreasonable that the tenant should do small repairs if asked to do so. He hoped the hon. Gentleman would not press the Amendment, because it would only complicate matters, and he really did not think it was necessary.

Question, "That the words proposed to be left out stand part of the proposed

Amendment to the Bill," put, and agreed to.

Proposed words inserted in the Bill.

SIR A. ACLAND-HOOD (Somersetshire, Wellington) said he had handed in an Amendment the object of which was to safeguard the landowner against the tenant putting in an extremely expensive estimate for repairs, or no estimate. Under the Bill the tenant could make certain repairs to buildings, but he had to give notice to the landlord, who might admit that they had to be done and that the tenant had better get them done. All that the Amendment stipulated was that in such a case the tenant should give the landlord an estimate of the proposed cost. He hoped the hon. Baronet would safeguard this point in the Amendment which he proposed to make at the end of the clause, and in that case he would not move his own Amendment.

COLONEL ALAN GARDNER (Herefordshire, Ross) moved an Amendment to include in the clause the erection of hop kilns or other necessary buildings for the drying or curing of hops and all wire work or other permanent erections for the training of growing hops. A very large amount of capital was invested in hops, and although hops were a very speculative crop, he believed the Amendment would be equitable to both landlord and tenants.

MR. EDMUND LAMB (Leominster) seconded the Amendment, although he thought it would come better under a subsection dealing with the hop industry. He was afraid there was little chance of the Government's accepting the Amendment, but he wished to enter his protest on behalf of the farmers against the retreat the Government had made.

Amendment proposed to the Bill—

"In page 4, line 10, after the words last inserted, to insert the words, 'erections of hop kilns or other necessary buildings for the drying or curing of hops, and all wire work or other permanent erection for the training of growing hops.' "—(*Col. Gardner.*)

Question proposed, "That those words be there inserted in the Bill."

SIR EDWARD STRACHEY resisted the Amendment on the ground suggested by the mover, namely, that the cultivation of hops was very speculative, and that it would be unfair to say to the landlord, "Heads I win, tails you lose" in this matter.

Question put, and negatived.

Amendment proposed—

'In page 4, to leave out line 11.—(*Mr. Abel Smith.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR EDWARD STRACHEY accepted the Amendment. He agreed that the planting of orchards was one of those matters for which it was very necessary the consent of the landlord should be obtained. Not only was it a mode of cultivation which was very expensive, but a great deal of knowledge was required, and it was several years before one knew whether an orchard was going to be a success or not. The arbitrator would naturally have no means of knowing how it would turn out in the next four or five years, and he would have in the circumstances to give the tenant very full compensation. After six or seven years it might be found that what the landlord had paid a heavy valuation for was of really no value at all from the paying point of view. It might look very well as a small plantation, but from the point of view of the incoming tenant it would be of no value. It was for that reason that the Government accepted this Amendment.

MR. EDMUND LAMB did not see why a man should not be allowed to make experiments in fruit farming in England at his own expense. If he was not successful, the landlord had his remedy against him. He thought the Government had made concessions to the representatives of the landlord class which they ought never to have done, and he protested against it.

Question put.

The House divided:—Ayes, 53; Noes 321. (Division List No. 408.)

AYES.

Abraham, William (Rhondda)
Armitage, R.
Baring, Godfrey (Isle of Wight
Barnes, G. N.
Billson, Alfred
Black, ArthurW. (Bedfordshire
Burnyeat, W. J. D.
Byles, William Pollard
Clynes, J. R.
Cobbold, Felix Thornley
Cooper, G. J.
Davies,Timothy (Fulham)
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Gill, A. H.
Glover, Thomas
Grant, Corrie
Greenwood, G. (Peterborough)
Hall, Frederick
Hardie, J. Keir(MerthyrTydvil
Harwood, George
Haslam, James (Derbyshire)
Hedges, A. Paget
Henderson, Arthur (Durham)
Herbert, T. Arnold (Wycombe)
Houston, Robert Paterson
Hudson, Walter
Idris, T. H. W.
Jowett, F. W.
Kelley, George D.
Lynch, H. B.
Marks, G.Croydon(Launceston
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Nicholson, Chas. N. (Doncaster
O'Grady, J.
Parker, James (Halifax)
Pickersgill, Edward Hare
Price, Robert John(Norfolk,E.
Raphael, Herbert H.
Rendall, Athelstan
Richards,A. F.(Wolverhampt'n
Roberts, G. H. (Norwich)
Rowlands, J.
Scott, A.H.(Ashton underLyne
Shackleton, David James
Smith, F. E.(Liverpool,Walton
Snowden, P.
Taylor, John W. (Durham)
Tennant, SirEdward(Salisbury
Walsh, Stephen
Ward, John (Stoke upon Trent)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES—Mr. Edmund Lamb and Mr. Wedgwood.

NOES.

Abraham, Wm. (Cork, N.E.)
Acland, Francis Dyke
Acland-Hood,Rt.Hn.SirAlex.F
Ainsworth, John Stirling
Allen, A. Acland(Christchurch)
Allen, Charles P. (Stroud)
Anson, Sir William Reynell
Ashley, W. W.
Asquith, Rt.Hn. HerbertHenry
Aubrey-Fletcher, Rt. Hn. SirH
Baker, Sir John (Portsmouth)
Baker, Joseph A.(Finsbury, E.)
Balcarres, Lord
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barlow,JohnEmmott(Somerset
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beach, Hn. MichaelHugh Hicks
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. H. (Eastbourne
Beaumont,Hn.W.C.B.(Hexh'm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, SirJ.Williams(Devonp'rt
Benn, W.(T'w'rHamlets,S.Geo.
Bennett, E. N.
Berridge, T. H. D
Bertram, Julius
Bethell,SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Bignold, Sir Arthur
Bolton, T.D.(Derbyshire, N.E.)
Boulton, A. C. F. (Ramsey)
Bowles, G. Stewart
Boyle, Sir Edward
Bramsdon, T. A.
Branch, James
Bridgeman, W. Clive
Brigg, John
Brocklehurst, W. B.
Brunner, J.F.L.(Lancs., Leigh)
Brunner, Rt.Hn.SirJ.T.(Chesh.
Bryce,Rt.Hn. James(Aberdeen
Bryce, J. A. (Inverness Burghs
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Butcher, Samuel Henry
Campbell-Bannerman, Sir H.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Causton,Rt.Hn.RichardKnight
Cave, George
Cavendish, Rt.Hn.Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord E. (Marylebone, E.)
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coates, E. Feetham (Lewisham
Cochrane, Hon, Thos. H. A. E.
Collins,Sir Wm.J.(S.Pancras,W
Corbett, A. Cameron (Glasgow)
Corbett, C.H(Sussex, E.Grinstd
Corbett, T. L.(Down, North)
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Couthope, G. Loyd
Cowan, W. H.
Cox, Harold
Craig, Chas. Curtis (Antrim, S.)
Craik, Sir Henry
Cremer, William Randal
Crooks, William
Crosfield, A. H.
Cross, Alexander
Crossley, William J.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, John A. (Inverness sh.)
Dickinson, W.H.(St.Pancras,N
Dillon, John
Douglas, Rt. Hon. A. Akers
Duckworth, James
Duncan, J. H. (York, Otley)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Erskine, David C.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fell, Arthur
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Fiennes, Hon Eustace
Finch, Rt. Hon. George H.
Findlay, Alexander
Flavin, Michael Joseph
Fletcher, J. S.
Forster, Henry William
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Gibbs, G. A. (Bristol, West)
Ginnell, L.
Gladstone,Rt.Hn.HerbertJohn
Glendinning, R. G.
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gulland, John W.
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hamilton, Marquess of
Hardy, George A. (Suffolk)
Hardy, Laurence(Kent,Ashford

Harmsworth, Cecil B. (Worc'r.)
Harrison-Broadley, Col. H. B.
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Hay, Hon. Claude George
Hayden, John Patrick
Heaton, John Henniker
Helme, Norval Watson
Helmsley, Viscount
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hills, J. W.
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, William (Carnarvonsh.)
Joyce, Michael
Kekewich, Sir George
Kennaway, Rt. Hn. Sir JohnH.
Kenyon-Slaney, Rt. Hn.Col.W.
Kimber, Sir Henry
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambton, Hon. Frederick Wm.
Lamont, Norman
Lane-Fox, G. R.
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lehmann, R. C.
Lever, A. Levy(Essex, Harwich
Lever, W. H. (Cheshire, Wirral)
Levy, Maurice
Lewis, John Herbert
Long, Rt.Hn.Walter(Dublin,S.
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald,J.M.(FalkirkB'ghs)
Mackarness, Frederic C.
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
M'Micking, Major G.
Massie, J.

Micklem, Nathaniel
Mond, A.
Montgomery, H. G.
Mooney, J. J
Morrell, Philip
Morse, L. L.
Murphy, John
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, Wm. G.(Petersfield)
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Neill, Hon. Robert Torrens
O'Shaughnessy, P. J.
O'Shee, James John
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearson, Sir W. D. (Colchester)
Pease, HerbertPike(Darlington
Percy, Earl
Philipps, J.Wynford(Pembroke
Philipps, Owen C. (Pembroke)
Pirie, Duncan V.
Price, C. E. (Edinb'gh, Central)
Radford, G. H.
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson, JohnFrederickPeel
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, John H. (Denbighs.)
Roberts, S.(Sheffield, Ecclesall)
Robertson, Rt. Hn. E. (Dundee
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Ropner, Colonel Sir Robert
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scott, Sir S. (Marylebone, W.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie

Smith, Abel H.(Hertford,East)
Smith, Hon. W. F. D. (Strand)
Smyth, Thomas F. (Leitrim, S.)
Soames, Arthur Wellesley
Spicer, Sir Albert
Stanger, H. Y.
Starkey, John R.
Staveley-Hill, Henry (Staff'sh,)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Thomas, DavidAlfred(Merthyr
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Thornton, Percy M.
Tillett, Louis John
Tomkinson, James
Torrance, Sir A. M.
Ure, Alexander
Valentia, Viscount
Verney, F. W.
Vivian, Henry
Wadsworth, J.
Walker, H. De R. (Leicester)
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, W.Dudley(Southampt'n
Warde, Col. C. E. (Kent, Mid
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Whitbread, Howard
White, J. D.(Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williamson, A.
Wills, Arthur Walters
Wilson, Hn. C. H. W. (Hull, W.
Wilson, Henry J. (York, W. R.
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh.N.)
Winfrey, N.
Wodehouse, Lord(Norfolk,Mid
Wyndham, Rt. Hon. George
Young, Samuel
Younger, George
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

Amendment proposed to the Bill—

"In page 4, to leave out line 12."—(*Mr. Abe Smith.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR EDWARD STRACHEY said that in agreeing to accept this Amendment they were supported by the view expressed by both the Chamber of Agriculture of England and the Scottish Chamber of Agriculture.

*MR. MORTON (Sutherland) said as he understood the matter the proposal to omit sub-section (4) came from the landlords' side of the House. It appeared that the Government were now going to adopt it, although it was not fair to the Liberal Members that they should have adopted it at the last moment, and without notice on the Paper or any notice to their supporters. The assumption therefore was that the Government had been "nobbled" by the landlord Party on both sides of the House, and that they, the Liberal Party, were expected to agree. This was not a Government Amendment, and the Government had no business at the last moment to make the acceptance of the Amendment a Government question. Therefore, he asked as a matter of right to the Liberal Members that the Government should leave it an open question, for otherwise when the two front benches came to an arrangement, as apparently they had done that night, the Liberal Members would find themselves between the devil and the deep sea—which was the one and which the other he did not know. All he knew was that it was a hopeless case for the Liberal cause in this country when the two front benches joined up.

MR. DUNN joined in the appeal which had been made to the Government to permit this to be an open question, and complained of the whittling down of the clause.

MR. J. ROWLANDS claimed to represent a part of the country which had great interest in the kind of agriculture in which brains came in. He knew that the farmers wanted a greater amount of freedom than they possessed. The Government had supported this clause, and while some of them had not sought to extend its operation because they wished to get the Bill through, he thought they ought to have an opportunity of expressing an opinion in favour of the freedom of the cultivator. He was tired of hearing the cultivator talked about as if he were some big boy; he put into the land not only his intellect but his capital, and he was sure he was quite capable of taking care of them.

MR. WINFREY (Norfolk, S.W.) said that strawberry-growing did not add largely to the intrinsic value of the land. The plant gave fruit two years after planting, and only lasted five years, when replanting was necessary. It was a very capricious crop, but still a number of small farmers had in his constituency started a small trade, and were sending up strawberries to town twice a day, and there was in his judgment no danger to the landlord. He himself was a small landowner, and he had not the slightest objection to his tenants planting strawberries. He agreed, however, about orchards requiring time to see if they developed, but he was surprised at the Government giving way in regard to strawberries.

*MR. STARKEY (Nottinghamshire, Newark) supposed everybody in the House thought he knew something about growing strawberries. He represented a constituency in the Midlands, and there they found that the strawberries grew best in a place which faced north or in a place which faced south. The reason was that the fruit came on early if the plants faced south and late if they faced north, and so a glut in the market was avoided. It was a most speculative business, and this proposal would allow any tenant farmer to embark upon this industry in the wilds of the country far away from railways and the labour necessary to pick the crop, and when it proved to be a failure to call upon the landlord to pay for the outlay upon it. This clause of the Bill was of a speculative character, and he could not think that hon. Members would wish that speculation should be introduced into the farming industry, and that so far as the landlord was concerned he should lose heavily if the speculation turned out to be a failure. He thought that this clause ought to be omitted.

MR. CORRIE GRANT said it could not be reasonably suggested that the ordinary tenant would plant strawberries in the wilds of our rural districts where there was no one to pick them, and then call upon his landlord to pay for his loss, because the first principle of the Agricultural Holdings Act was that the landlord was not to be called upon to pay compensation in respect of crops which were a failure. If strawberries were going to be grown successfully the land had to be manured far more than for any other crops, and a great deal of money had to be spent. He thought therefore that strawberries should be put into Part III., and that the Government should accept the Amendment of hon. Members who knew something about strawberries.

Question put.

The House divided:—Ayes, 151; Noes, 231. (Division List No 409).

AYES.

Abraham, Wm. (Cork, N.E.)
Abraham, William (Rhondda)
Allen, Charles P. (Stroud)
Armitage, R.
Baring, Godfrey (Isle of Wight)
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beauchamp, E.
Beck, A. Cecil
Bell, Richard
Belloc, Hilaire Joseph Peter R.
Black, Arthur W. (Bedfordshir
Bolton, T.D. (Derbyshire,N.E.)
Boulton, A. C. F. (Ramsey)
Branch, James
Brunner, J.F.L.(Lancs., Leigh)
Brunner, Rt.Hn.SirJ.T.(Chesh.
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Cooper, G. J.
Cotton, Sir H. S. J.
Crean, Eugeue
Cremer, William Randal
Crooks, William
Crosfield, A. H.
Cross, Alexander
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Delany, William
Dickinson, W.H.(St.Pancras,N
Dillon, John
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne,MajorE.Martin(Walsall)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Ffrench, Peter
Flavin, Michael Joseph
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Glendinning, R. G.
Glover, Thomas
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Gwynn, Stephen Lucius
Hall, Frederick
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harwood, George
Haslam, James (Derbyshire)
Hayden, John Patrick
Hedges, A. Paget
Hodge, John
Hogan, Michael
Hudson, Walter
Idris, T. H. W.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jowett, F. W.
Joyce, Michael
Kelley, George D.
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G.(Leominster)
Law, Hugh A. (Donegal, W.)
Lever, W. H. (Cheshire,Wirral)
Lundon, W.
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs)
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Kean, John
M'Killop, W.
Marks, G.Croydon(Launceston)
Meagher, Michael
Micklem, Nathaniel
Montagu, E. S.
Montgomery, H. G.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murphy, John
Napier, T. B.
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
O'Brien,Kendal(Tipperary,Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Grady, J.
O'Kelly, James(Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh,Central)
Price, Robert John(Norfolk,E.)
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rendall, Althestan
Richards, T.F. (Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Roberts, Chas. H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, J. M. (Tyneside)
Rowlands, J.
Rutherford, V. H. (Brentford)
Scott, A. H. (AshtonunderLyne
Seddon, J.
Shackleton, David James
Silcock, Thomas Ball
Smyth, Thomas F. (Leitrim, S.)
Snowden, P
Soames, Arthur Wellesley
Steadman, W. C.
Stewart, Halley (Greenock)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Thomas, David Alfred(Merthyr
Verney, F. W.
Vivian, Henry
Wadsworth, J.
Walsh, Stephen
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Patrick (Meath, North)
Williams, J. (Glamorgan)
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Young, Samuel

TELLERS FOR THE AYES—Mr. John Ward and Mr. Arthur Henderson.

NOES.

Acland, Francis Dyke
Acland-Hood,Rt.Hn.SirAlex.F
Ainsworth, John Stirling
Allen, A. Acland(Christchurch)
Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Asquith, Rt.Hn. HerbertHenry
Atherley-Jones, L.
Aubrey-Fletcher, Rt.Hn.SirH.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Beach, Hn.Michael Hugh Hicks
Beale, W. P.
Beaumont, Hn. H.(Eastbourne
Beaumont, Hn.C.W.B.(Hexhm
Beckett, Hon. Gervase
Bellairs, Carlyon
Benn, Sir J.Williams(Devonprt
Benn, W.(T'w'rHamlets,S.Geo.
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, SirJ.H.(Essex,Romfrd
Bethell, T. R. (Essex, Maldon)
Bignold, Sir Arthur
Billson, Alfred
Bowles, G. Stewart
Boyle, Sir Edward
Bramsdon, T. A.
Bridgeman, W. Clive
Brigg, John
Brocklehurst, W. B.
Bryce, Rt.Hn.James(Aberdeen
Bryce, J.A.(Inverness Burghs)
Buckmaster, Stanley O.
Burns, Rt. Hn. John
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Causton,Rt.Hn.RichardKnight
Cave, George
Cavendish, Rt. Hon.VictorC.W
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Coates, E. Feetham(Lewisham)
Coats, Sir T.Glen(Renfrew, W.)
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Collins, SirWm.J.(S.Pancras,W
Corbett, A. Cameron (Glasgow)
Corbett, C.H(Sussex,E.Grints'd
Corbett, T. L. (Down, North)
Cornwall, Sir Edwin A.
Cory, Clifford John
Courthope, G. Loyd
Cowan, W. H.
Cox, Harold
Craig, Chas. Curtis (Antrim, S.)
Craik, Sir Henry
Crossley, William J.
Davies, David (Montogmery Co
Davies, M. Vaughan-(Cardigan
Davies, W. Howell (Bristol, S.)
Dewar, John A. (Inverness-sh.)
Doughty, Sir George
Duncan, J. H. (York, Otley)
Edwards, Frank (Radnor)
Elibank, Master of
Erskine, David C.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, George Denison (York)
Fell, Arthur
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Finch, Rt. Hon. George H.
Findlay, Alexander
Fletcher, J. S.
Forster, Henry William
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gibbs, G. A. (Bristol, West)
Gladstone, Rt.Hn.HerbertJohn
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hamilton, Marquess of
Hardy, Laurence(Kent,Ashford
Harmsworth, Cecil B. (Worc'r)
Harrison-Broadley, Col. H. B.
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Hay, Hon. Claude George
Heaton, John Henniker
Helmsley, Viscount
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hills, J. W.
Hobart, Sir Robert
Holland, Sir William Henry
Horniman, Emslie John
Horridge, Thomas Gardner
Houston, Robert Paterson
Howard, Hon. Geoffrey
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Kekewich, Sir George
Kennaway, Rt.Hn.Sir John H.
Kenyon-Slaney, Rt. Hn. Col.W
Kincaid-Smith, Captain
Lamb,Ernest H. (Rochester)
Lambert, George
Lambton, Hon. Frederick Wm.
Lamont, Norman
Lane-Fox, G. R.
Layland-Barratt, Francis
Lehmann, R. C.
Lever, A. Levy (Essex,Harwich
Levy, Maurice
Lewis, John Herbert
Long, Rt.Hn.Walter(Dublin,S.
Lough, Thomas
Lupton, Arnold
Lyell, Charles Henry
Mackarness, Frederic C.
Maclean, Donald
M‘Crae, George
M‘Kenna, Reginald
M‘Micking, Major G.
Massie, J.
Menzies, Walter
Mildmay, Francis Bingham
Mond, A.
Morrell, Philip
Morse, L. L.
Myer, Horatio
Nicholson, Wm. G.(Petersfield)
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearson, SirW.D. (Colchester)
Philipps,J.Wynford (Pembroke
Philipps, Owen C. (Pembroke)
Pirie, Duncan V.
Radford, G. H.
Rainy, A. Rolland
Rasch, Sir Frederic Carne
Ratcliff, Major R. F.
Rawlinson, John FrederickPeel
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Ridsdale, E. A.
Roberts, John H. (Denbighs.)
Roberts, S.(Sheffield,Ecclesall)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Ropner, Colonel Sir Robert
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Scott, Sir S. (Marylebone, W.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smith, AbelH.(Hertford,East)
Smith, F.E.(Liverpool, Walton
Smith, Hon. W. F. D. (Strand)
Spicer, Sir Albert
Stanger, H. Y.
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sutherland, J. E.
Tennant, Sir Edw. (Salisbury)
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Thornton, Percy M.
Tillett, Louis John
Tomkinson, James
Torrance, Sir A. M.
Turnour, Viscount
Ure, Alexander
Valentia, Viscount
Vincent, Col. Sir C. E. Howard
Walker, H. De R. (Leicester)
Walton, Sir John L. (Leeds S.)
Walton, Joseph (Barnsley)
Ward, W. Dudley(Southamptn
Warde, Col. C. E. (Kent, Mid)
Wason, John Cathcart(Orkney)
Whitbread, Howard
White, Luke (York, E. R.)

Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thos. Palmer
Wills, Arthur Walters
Wilson, Hn. C. H. W.(Hull,W.
Wilson, J.W.(Worcestersh. N.)
Wodehouse, Lord(Norfolk,Mid)
Wortley, Rt. Hon. C. B.Stuart
Wyndham, Rt. Hon. George
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

Amendment proposed to the Bill—

"In page 4, to leave out lines 13 and 14."—(*Mr. Abel Smith.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. MORTON in opposing the Amendment, appealed to the Government to allow Liberals to vote as they chose. He further appealed to the Government to give some reply to Liberal Members. The House was entitled to a reply, because when the Bill went through the Committee upstairs these sub-sections were left in the Bill. It must therefore be assumed that the Government had intended them to remain in, otherwise they would have moved to omit the clause upon report. Liberal Members did not oppose the Government; they had made great sacrifices in order to support the Government on every possible occasion. They stayed in the House on Monday to assist the Government when a large majority of Ministers were away asleep or otherwise employed, and the unpaid Members of the House were left to carry on the fight. Under those circumstances they were entitled to ask the Government to deal fairly and above-board with them. When they made an appeal, however humble they might be or however humble the Government might think them to be, they had a vote. It was that vote which had saved the agricultural labourers, and it was that vote which would save the Government when the time came. He submitted that the Government had no right to make these arrangements with the opposite Party without letting their supporters know in good time, so that they might be able to prepare against such a fatal event.

SIR E. STRACHEY said the Government were supporting the view of the farmers in Scotland and England as expressed by the Central Chamber of Agriculture and the Scottish Chamber of Agriculture.

*MR. MORTON said he wanted the Government to support the Liberal Party in Scotland, not these Tory chambers.

SIR EDWARD STRACHEY could not see how the question of the "planting of asparagus, rhubarb, or other vegetable crops which continue productive for two or more years" could be considered as political. They were dealing with this question entirely from the point of view of farmers and practical agriculturists, and these chambers—representing people of every political view, Liberal and Conservative—had unanimously decided that it was right to leave out sub-section (5). The planting of asparagus, rhubarb, and other vegetable crops might entirely alter the character of a holding. If a man wished to farm in that way he should come under The Market Gardeners' Act. It was right that, in regard to such changes in the character of the holding, the landlord should be consulted. The Government were doing what they believed the agriculturists as a body desired in this matter.

MR. CORRIE GRANT thought the hon. Baronet had hardly appreciated the point which rural members were making. The Chambers of Agriculture had not met since the House adjourned last night. The Government had known all along what the Chambers of Agriculture wanted, and they had not put down on the Paper a single Amendment to deal with the question. A written Amendment had been handed in to the Chairman, and they wanted to know why that Amendment could not have been put down in the ordinary way a fortnight ago.

SIR GEORGE DOUGHTY (Great Grimsby) asked on a point of order whether the hon. Member was in order in turning his back on the Chair.

*MR. SPEAKER: By the custom of the House all speeches should be addressed to the Chair. I should like to take this opportunity also of pointing out that I notice that some hon. Gentlemen have got into the habit of addressing hon. Members on the other side of the House as "you." When hon. Members are addressing hon. Members in other quarters of the House they should address them in the third person.

MR. CORRIE GRANT apologised for having inadvertently contravened one of the Rules of Order in turning to a quarter of the House where he thought his remarks would meet with more sympathy. The complaint hon. Members were making was that they were faced with an entirely new set of circumstances in respect to which they had had no notice. There were numerous Amendments proposed by hon. Members of the Opposition, and supporters of the Government had a right to some explanation as to why they had been accepted. They had expected to see these Amendments opposed by the Government, instead of which they had been treated to the spectacle of the Government Whips telling in the divisions in favour of Amendments of hon. Gentlemen opposite. Complaint had been made that hon. Gentlemen came into the House not knowing what was going on, but if any hon. Member attempted to attend regularly all the debates of the House he would soon become what the hon. Baronet had called an unconscious corpse.

MR. ROWLANDS said hon. Members felt very strongly upon this clause. The clause to be left out now was a simple one. The whole of the crops included were of such a character that they would, so far as compensation value was concerned, be out of existence in a short space of time. So that the argument that some drastic change was to be made did not hold water. He and those who thought with him were asking that this Bill should become law in something like the shape in which it left the Committee. From what had been said in the course of the debate one would have supposed that the Bill had been hurried through, but it had been before the House since 9th March, and taking all the occasions on which it had been debated it had been before the House for a longer period than any other Bill this session. It had been said that the Chambers of Agriculture had decided against this particular clause, but at any rate they supported the Bill. That, however, did not stop hon. Gentlemen opposite fighting night after night against the provisions of a Bill with which the Central Chamber of Agriculture agreed. He appealed to the Government to let hon. Members know what the opinion of the Government was with regard to this matter. They had to look after the interest of their constituencies. They knew that intensive culture was the future of agriculture in this country as it had been proved to be in Norway and other countries, and he asked that the agriculturists of this country should be treated like men and allowed to conduct their industry in the way which in their wisdom they thought best.

MR. RICHARDSON (Nottingham, S.) said he rose to draw attention to one point which seemed to have been overlooked by every other speaker. Every Member of the House was interested not only in agriculture but also in manufacture. There was springing up in this country a new industry which would be increased very materially if the Government persisted in the line which they took in the Committee. He alluded to the manufacture of jam. All over this country there were springing up jam manufactories, and round those factories small farmers and of course the labourers were interested in, and commencing to engage in, the cultivation of raspberries, strawberries and other fruits. In Derbyshire during the last five or six years two big jam manufactories had been started and in that neighbourhood acres of land had been laid down in strawberries, raspberries, and rhubarb. In the manufactories employment was found for girls, and men cultivated the fields. If the Government persisted in their action these industries would be injuriously affected and many of them would be destroyed.

MR. HALDANE said there was some confusion in the minds of hon. Members. They had passed in Clause 6 an Amendment to the Market Gardeners' Compensation Act which made it retrospective, and anybody who wished to plant jam-bearing plants—if he might use the expression, he was not an agriculturist—would find himself armed with the fullest powers under the Market Gardeners' Compensation Act as amended by this Bill. The inclusion of the amending clause in this Bill, which extended very largely the position of the tenant under the Market Gardeners' Compensation Act, was the justification of the Government for restricting Clause 7 with which they were dealing. They were anxious to do their best for the tenant. By putting this Bill in a workmanlike shape they felt they were doing more to secure the tenants the advantages of this Bill than by any other course they could take.

*MR. LEIF JONES asked whether the tenants could execute these improvements after notice had been given to the landlords.

MR. HALDANE: If they come under the Market Gardeners' Act.

*MR. LUPTON said farmers could not take advantage of the Market Gardeners' Act because landlords would not let them market gardens. He had been supporting this Bill all through mainly on account of Clause 7, but, in an unlucky moment, he went to supper, and when he came back he found the greater part of the mischief done. He hoped, at any rate, the Government would not put their Whips on for the division. He knew what the result would be then. He would vote for including vegetables in the Act. He was sorry that strawberries and orchards had been already knocked out of the Bill. The effect would be that the landowner would be able to get more rent from land that was already rented at a very high rate.

MR. CORRIE GRANT rose to address the House and was greeted with cries of "Order!" He said the order in this House is in the Chair, and until the Speaker tells me I am out of order I shall not pay any attention to the shouts of hon. Members. The right hon. Gentleman the Member for East Worcestershire has had a long experience of the House, and ought to be the last person to shout "Order."

MR. AUSTEN CHAMBERLAIN: Is the hon. Gentleman entitled to speak twice on the same question on the Report stage? I submit that he has used his opportunity.

*MR. SPEAKER: I was under the impression the hon. Gentleman had addressed me; he was under the impression he had not.

MR. CORRIE GRANT: Now I know the fault I have committed I plead guilty.

*MR. BYLES (Salford, N.) said he understood the position in which they were now was that they were asked to prevent a tenant from growing rhubarb and asparagus if he wished to grow them, without the assent of his landlord. So far as he was concerned the question before the House was a political question. One section of the House desired to give the tenant freedom to cultivate the land to its best advantage, while the other section wished to give to the landlord power to say how it should be cultivated. Everybody knew that he was loath to vote against the Government in which he had profound faith. But it must be noted that in the division on the fruit trees Amendment there were only fifty-three against it, while afterwards, when the House filled up and the division was taken on the Amendment in reference to strawberries, the vote against that Amendment rose to 157. He ventured to say to his hon. friend in charge of the Bill that this was rather a serious matter, and that he ought to pay more attention to the wishes of so large a section of his supporters, and save them from the pain of once more voting against him.

SIR W. ROBSON said that it was quite a mistake to suppose that they were leaving leaseholders who planted strawberries without any benefit under this Act. Those who had carefully considered the drafting of the Bill would see that the third sub-section was really contained within the scope of the Market Gardeners' Compensation Act; and by passing the preceding clause a retrospective effect had been given to that Act. From the information given to him, there seemed to be no great difficulty in inducing a landlord to let his land as a market garden. [AN HON. MEMBER: Subject to an increased rent.] It was an error to suppose that by omitting the third sub-section they were depriving the farmer of compensation. They were simply leaving the farmer to get his compensation under another Act. An hon. Member had said that if a farmer used his land as a market garden he would be subjected to an increased rent. He did not think there was anything unreasonable in a re-adjustment of the rent, if the farmer wished to change the character of his holding.

MR. J. WARD said that after the statement of the right hon. Gentleman the Secretary of State for War, he felt inclined to support the Government on this occasion, but he had changed his opinion after the speech of the Solicitor-General. He insisted that these surrenders to the enemy had become almost unbearable. Every concession that had been made had been not to friends but to enemies, and he did not think that that was the way to secure the regular support of this House when support was wanted. He had come to the conclusion that it was a good job for the sake of the tenant farmer that this Bill had to be settled that night, because it appeared to him that if the discussion had lasted another day or two with sufficient pressure from hon. Members above the gangway there would be nothing of the Bill left.

MR. WINFREY said it was quite true that if a man desired he could hire his land as a market garden and get compensation under the Market Gardeners' Compensation Act, but there were scores of farmers who only required to use a small portion of their holding for market gardening operations. A man might only want to take half a rood or half an acre for asparagus or fruit and it was for this class they were fighting. He, like his hon. friend the Member for Rugby, was bitterly disappointed at the action of the Government. They had no idea that the Government wanted to give way. They had supported the Government all the way through at great physical inconvenience, but they had not been well treated as to strawberries. If they could not get what they wanted in regard to strawberries they might as well let rhubarb and asparagus go too.

MR. DALZIEL (Kirkcaldy Burghs) wished again to call attention to the most important question which had been put forward, viz., whether the Government would allow this question to be an open one. In asking that they were not making any unprecedented demand. They only asked the Government to take a step which had been taken by Governments before it. This was a private Member's Bill taken up by the Government. Surely a matter of this sort did not affect the Empire, and he saw no reason why the Government should be insistent in regard to making it a Party measure. It was quite clear from the effect of the last division that 157 supporters of the Government desired them to take a different course from that which they were taking, and many more voted for the Government because they did not know what they were voting for, but were simply told what to do by the Party whips. He appealed to the Government, especially to the Chancellor of the Exchequer whom he saw in his place, to give some reply. If anybody could advise the Government to take a right course it was the right hon. Gentleman. He would ask him whether he did not think that the Government would be adopting a wise course in leaving the decision to the House.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fifeshire, E.) replied in the negative. A very definite opinion had been expressed by two of his colleagues, the Secretary of State for War, and the Solicitor-General. They having expressed the opinion of the Government the usual consequences must follow.

MR. ARTHUR HENDERSON (Durham, Barnard Castle) said that this question upon which the Government had such definite and decided opinions had been brought before them upon an Amendment moved, not by any Member of the Government, not even by one of their own followers, but by one who had given the most uncompromising opposition to every clause of the Bill. He thought it was due to some of them who had loyally supported the Government at every stage of the Bill, and especially to those, who like himself, waited throughout the whole of the all-night sitting at great inconvenience for the purpose of getting the Bill through, that they should have notice if the Government had definite opinions upon these matters, that they should place them on the Order Paper and not wait and accept an Amendment moved by a member of the official Opposition. They had been faced with the most uncompromising opposition from those who saved the Government in the last division. If the division list were analysed it would be found that the Government were saved from defeat by those who had been fighting them line by line and word by word in the most uncompromising fashion. The Chancellor of the Exchequer had stated that the Government had a very definite policy, but they had never been told of that policy by any Amendments on the Order Paper. The only way they got to know of it was by a Member of the official Opposition placing on the Paper an Amendment which was accepted by the Government. He himself placed this Bill very prominently before the electors at the last election, and he had loyally supported the Government in almost every division in order to get the Bill passed. Now at the last moment they were thrown over, and they would have to go back and tell their constituents that the Government favoured a policy which was advocated and put into the Bill by their opponents.

*MR. LEIF JONES also appealed to the Government to do something to meet the strong views of their supporters although he said he intended to vote with the Government if the matter went to a division. He thought that Part III of the Schedule was not the proper place for this provision, but that it ought to be dealt with under Part II, so as to enable these improvements to be executed by the tenant after notice to the landlord, who would thus have an opportunity of carrying out the improvements himself and charging interest on the amount expended if he preferred this course. He asked that in another place the Government should put back these subsections into Part II. That was where the Committee left them, and he submitted that it was the proper place for them.

MR. HARWOOD (Bolton) supposed that it was no use to appeal to the Government, but perhaps he might appeal to the House. He asked whether there was any reason why this clause should not be kept in. The point was not as the Secretary of State for War and the Solicitor-General had put it. The point was whether the farmer should be allowed to grow these things without having to put himself under the Market Gardeners Act. He did not want to do that, because he did not want to conduct the whole of his holding as a market garden. If the two right hon. Gentlemen were right, what was the harm of leaving this provision in.

Question put.

The House divided:—Ayes, 106; Noes, 249. (Division List No. 410.)

AYES.

Abraham, Wm. (Cork, N. E.)
Abraham, William (Rhondda)
Armitage, R.
Barnes, G. N.
Barry, E. (Cork, S.)
Black, ArthurW.(Bedfordshire
Bolton, T.D. (Derbyshire, N.E.
Brunner, Rt.Hn.SirJ.T.(Chesh.
Byles, William Pollard
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Cooper, G. J.
Cotton, Sir H. J. S.
Crean, Eugene
Crooks, William
Cross, Alexander
Dalziel, James Henry
Delany, William
Dillon, John
Duncan, C. (Barrow-in-Furness
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Ffrench, Peter
Flavin, Michael Joseph
Fullerton, Hugh
Gardner, Col.Alan(Hereford, S.
Gill, A. H.
Glendinning, R. G.
Glover, Thomas
Grant, Corrie
Greenwood, Hamar (York)
Gwynn, Stephen Lucius
Hall, Frederick
Hardie, J.Keir(MerthyrTydvil)
Harwood, George
Hayden, John Patrick
Herbert, Col. Ivor (Mon., S.)
Hogan, Michael
Hudson, Walter
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jowett, F. W.
Joyce, Michael
Kelley, George D.
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Law, Hugh A. (Donegal, W.)
Lundon, W.
Lupton, Arnold
Lynch, H. B.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Killop, W.
Meagher, Michael
Mooney, J. J.
Morton, Alpheus Cleophas
Murphy, John
Nolan, Joseph
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Grady, J.
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert

Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Price, Robert John(Norfolk,E.)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Richards, T. F.(Wolverh'mpt'n
Richardson, A.
Roberts, G. H. (Norwich)
Robertson, J. M. (Tyneside)
Rowlands, J.
Scott, A.H.(Ashton under Lyne
Seddon, J.
Shackleton, David James
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soames, Arthur Wellesley
Steadman, W. C.
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Thomas, David Alfred(Merthyr
Walsh, Stephen
Wedgwood, Josiah C.
White, George (Norfolk)
White, Patrick (Meath, North)
Williams, J. (Glamorgan)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Young, Samuel

TELLERS FOR THE AYES—Mr. John Ward and Mr. Arthur Henderson.

NOES.

Acland, Francis Dyke
Acland-Hood, Rt.Hn.SirAlex.F
Ainsworth, John Stirling
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Asquith,Rt.H. Herbert Henry
Aubrey-Fletcher, Rt.Hn.Sir H.
Baker, Sir John (Portsmouth)
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Baring, Godfrey (Isle of Wight)
Baring, Hon. Guy Winchester)
Barran, Rowland Hirst
Beach Hn.Michael Hugh Hicks
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. H.(Eastbourne
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Beckett, Hon. Gervase
Bellairs, Carlyon
Belloc, Hilaire Joseph Peter R.
Berridge, T. H. D.
Bertram, Julius
Bethell,SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Bignold, Sir Arthur
Billson, Alfred
Boulton, A. C. F. (Ramsey)
Bowles, G. Stewart
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brunner, J. F. L.(Lancs.,Leigh)
Bryce, J.A.(Inverness Burghs)
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Buryneat, W. J. D.
Butcher, Samuel Henry
Buxton, Rt. Hn. Sydney Chas.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Causton, Rt.HnRichardKnight
Cave, George
Cavendish, Rt.Hn.Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt.Hn.J.A.(Worc
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Coates, E. Feetham (Lewisham
Coats, SirT.Glen(Renfrew, W.)
Cochrane, Hon. Thos. H. A. E.
Collings, Rt.Hn.J.(Birmingh'm
Collins, SirWm.J.(S.Pancras,W
Corbett, A. Cameron (Glasgow)
Corbett,C.H.(Sussex,E.Grinst'd
Corbett, T. L. (Down, North)
Cornwall, Sir Edwin A.
Cory, Clifford John
Courthope, G. Loyd
Cowan, W. H.
Cox, Harold
Craig, Chas. Curtis(Antrim, S.)
Craik, Sir Henry
Cremer, William Randal
Crossley, William J.
Davies, David(MontgomeryCo.
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, John A. (Inverness-sh.)
Dickinson, W. H.(St.Pancras,N
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duckworth, James
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Frank (Radnor)
Erskine, David C.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, George Denison (York)
Fell, Arthur
Ferens, T. R.
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Finch, Rt. Hon. George H
Findlay, Alexander
Fletcher, J. S.
Forster, Henry William
Freeman-Thomas, Freeman
Fuller, John Michael F.
Furness, Sir Christopher
Gibbs, G. A. (Bristol, West)
Gladstone, Rt.Hn.HerbertJno
Grey, Rt. Hon. Sir Edw.
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hamilton, Marquess of
Hardy, George A. (Suffolk)
Hardy, Laurence(Kent,Ashford
Harrison-Broadley, Col. H. B.
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Hay, Hon. Claude George
Hedges, A. Paget
Helme, Norval Watson
Helmsley, Viscount
Henry, Charles S.
Herbert, Arnold (Wycombe)
Higham, John Sharp
Hills, J. W.
Hobart, Sir Uobert
Holland, Sir William Henry
Horniman, Emslie John
Howard, Hon. Geoffrey
Hyde, Clarendon
Idris, T. H. W.
Isaacs, Rufus Daniel
Jackson, R. S.
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Kekewich, Sir George
Kennaway, Rt.Hn.Sir John H.
Kenyon-Slaney,Rt.Hon.Col.W.
Kincaid-Smith, Captain
Lamb, Ernest H. (Rochester)
Lambert, George
Lambton, Hn. Frederick Wm.
Lamont, Norman
Lane-Fox, G. R.
Layland-Barratt, Francis
Lehmann, R. C.
Lever, A. Levy (Essex,Harwich
Levy, Maurice
Lewis, John Herbert
Long, Rt.Hn.Walter(Dublin,S.
Lough, Thomas
Lyell, Charles Henry
Macdonald, J. M.(FalkirkB'ghs
Mackarness, Frederic C.
Maclean, Donald
M'Callum, John M.
M'Crae, George
M'Kenna, Reginald
M'Micking, Major G.
Marks, G.Croydon(Launceston
Massie, J.
Micklem, Nathaniel
Mildmay, Francis Bingham
Mond, A.
Montagu, E. S.
Montgomery, H. G.
Morrell, Philip
Morse, L. L.
Napier, T. B.
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nicholson, Wm. G. (Petersfield
Norman, Sir Henry
Norton, Capt. Cecil William

Nussey, Thomas Willans
Nuttall, Harry
Partington, Oswald
Paulton, James Mellor]
Pearce, Robert (Staffs. Leek)
Pearson, Sir W. D. (Colchester)
Philipps, J.Wynford(Pembroke
Philipps, Owen C. (Pembroke)
Pirie, Duncan V.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rawlinson, JohnFrederickPeel
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Rendall, Athelstan
Rickett, J. Compton
Ridsdale, E. A.
Roberts, John H. (Denbighs.)
Roberts, S.(Sheffield, Ecclesall)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Ropner, Colonel Sir Robert
Rose, Charles Day
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Scott, Sir S. (Marylebone, W.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smith, Abel H.(Hertford, East)
Smith, Hon. W. F. D. (Strand)
Spicer, Sir Albert
Stanger, H. Y.
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sutherland, J. E.
Tennant, SirEdward(Salisbury)
Thomasson, Franklin
Thompson, J.W.H.(SomersetE
Thornton, Percy M.
Tillett, Louis John
Tomkinson, James
Toulmin, George
Valentia, Viscount
Verney, F. W.
Walker, H. De R. (Leicester)
Walters, John Tudor
Walton, SirJohnL.(Leeds, S.)
Walton, Joseph (Barnsley)
Ward, W.Dudley(Southampton
Warde, Col. C. E. (Kent, Mid)
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Wills, Arthur Walters
Wilson, Hn. C.H.W. (Hull, W.)
Wilson, Henry J.(York, W. R.)
Wilson, J. W.(Worcestersh. N.)
Wodehouse, Lord(Norfolk,Mid
Wortley, Rt. Hon. C. B.Stuart-
Wyndham, Rt. Hon. George

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

SIR EDWARD STRACHEY said the Amendment he now proposed was consequential on the one already agreed to.

Amendment proposed to the Bill—

"In page 4, line 14, to insert the words 'provided the tenant before beginning to execute any such repairs will give notice in writing to the landlord, and will not execute such repairs until a reasonable time after the landlord has received such notice.'"—(*Sir Edward Strachey.*)

Question proposed, "That those words be there inserted."

*MR. MORTON asked whether in the event of the tenant executing such repairs he would be entitled to deduct the amount of such repairs from any rent that might be due.

SIR EDWARD STRACHEY said the tenant had no more right to deduct compensation for that than for anything else.

MR. CORRIE GRANT said the tenant was to execute the repairs, apparently, and spend his own money, but he was to get no interest on his outlay, and was only to be repaid the amount he had laid out when he left the land, which might be thirty years after.

Question put, and agreed to.

MR. LYNCH moved an Amendment providing that continuous good farming in excess of the state of good husbandry which the tenant was bound to maintain, and which had added to the value of the holding, should be included as an improvement in Part III of the Schedule of the Act of 1902. Such an Amendment, he pointed out, carried forward the spirit of the Agricultural Holdings Acts. If hon. Members carried their minds back they would find that under the Act of 1875 compensation for improvements only permitted the tenant to receive compensation on a time scale for unexhausted manure and so on. The Act of 1883 enlarged the scope of the Act of 1875, and enacted that the improvement should be estimated at its value to the incoming tenant. But even up to the present day, the valuers have been guided in their estimate by the number of years which had elapsed since the manure was put into the land. The attitude of the English Royal Commission in this matter was that good management should be taken into account in any compensation for improvement, because they said it would certainly appear that the application of a rigid rule under all circumstances without regard to management was unfair to a good tenant. The chairman of the committee of the Central Chamber of Agriculture laid before the Royal Commission a statement of the recommendations of the committee. One of these recommendations was that the increased fertility of a holding due to continuous good farming should be a distinct subject for compensation. It was of the utmost importance that this Amendment should be carried. The Welsh Land Commission had given it as their opinion that good husbandry in excess of the standard of cultivation ought to be compensated under the Agricultural Holdings Act. Hon. Members opposite seemed to think that there was a legal obligation placed on the tenant to put into his holding this continuous good farming. The legal obligation of the tenant was to farm according to the custom of the country and no more. There was no implied contract on the part of the tenant to farm the land to the utmost capacity, and if he did so and added essentially to the value of the holding, was there anyone in any quarter of the House who would deny the farmer just compensation? It was a fallacy to suppose that the putting in of manure was the sole way in which the fertility of the soil could be increased. The principal factor in the fertility of the soil was human labour. The object of this Bill as a whole was to give to the tenant compensation for whatever he had done to improve the value of his holding by continuous good farming. But only if this Amendment were passed could the tenant feel that he had security for all the money he put into the soil.

MR. LAIDLAW (Renfrewshire, E.) seconded the Amendment.

Amendment proposed to the Bill—

"In page 4, after the words last inserted to insert the words '(3) Continuous good farming in excess of the standard of good husbandry which the tenant is bound to maintain and which has added to the value of the holding.'" —(*Mr. Lynch.*)

Question proposed, "That those words be there inserted in the Bill."

MR. HALDANE said he wished to make an appeal to hon. Gentlemen on the Government side of the House. The Government had taken up this Bill with the desire to pass it into law. They could only pass it into law if they took responsibility for it and put it into shape. They did not object to the pious aspirations which had been expressed in regard to this clause, but they had another objection. By no possibility could it be conceived that the landlord and tenant would be at one as to the amount of compensation the tenant was to get because of good husbandry in excess of his obligation.

MR. LYNCH said that it was a question which would be settled by a clause which came after this one in regard to the "record of holding."

MR. HALDANE said he was afraid that his mind had been poisoned by twenty years experience of the law Courts. The "record" would not assist them in coming to any common agreement as to the amount. The aspiration was that the best kind of tenant should get something in recognition of the fact that he was the best kind of tenant, but it was obvious that that would open up an enormous field of dispute between the tenant and the landlord, and the result would be that any good which the tenant was justly entitled to would be swallowed up three times over in law costs. After all, when they came to look at it, what was the principal element in which they could mark good husbandry in excess of the ordinary obligation? It was a tangible thing which was palpable to the senses, and that, perhaps, in more senses than one. It was the amount of manure put on the land. Manure being dealt with and out of the way, they were only left with a vague claim which could only result in endless litigation. The final observation he would make was that in the Grand Committee upstairs there were no Government tellers and this clause was defeated by the large majority of twenty-four to fifteen, and there was a difference of opinion as to whether the clause was workable or unworkable. There was, however, the strongest desire to get as much as possible for the tenants of this country.

MR. CORRIE GRANT said that he had attended the Grand Committee and he joined issue with the right hon. Gentleman. The clause was not rejected because it was unworkable. The real question here was, what was the obligation on the tenant? The right hon. Gentleman had said that the farmer was under an obligation to farm his land to the best of his ability. He had not been able to find a single precedent where such a condition was imposed on the tenant farmers. He had in his hand a book which was considered the highest authority on agricultural tenancies, and there was not a single form of agreement between landlord and tenant in that book which contained any such provision at all. He wished to call the attention of the House to the fact that this was the only Amendment they had had which touched the good landlord. It was said that the Bill aimed at bad landlords. What he maintained was that nearly all the Agricultural Holdings Acts had been largely failures, simply because the landlords and tenants had made their own bargains, and contracted themselves out of the Acts. The object of the Amendment, and to his mind it was a very necessary Amendment, was to safeguard the cases where they had got a good tenant and a bad landlord, and when a farm had been increased in value by the brains and labour of the tenant. Everyone in the House knew, if they had had anything to do with land, that improvements made at different times would have different effects at different times. Why on earth should a man who was adding to the value of his holding not get compensation for it when he left that holding? The decision of the Committee upstairs had been quoted, but that did not bind this House. The Amendment ought to be judged, not by what had been done in the Committee upstairs, but on its merits.

Question, put, and negatived.

SIR EDWARD STRACHEY said that he had to propose an Amendment, which with subsequent Amendments would make Clause 8 read:—"If at the commencement of any tenancy entered into after the commencement of this Act, either party so requires, a record of the condition of the buildings, fences, roads, drains, and cultivation of the holding, shall be made by a person to be appointed in default of agreement, by the Board of Agriculture and Fisheries, and in default of agreement the cost of making such record shall be borne by the landlord and tenant in equal proportions." This provision would not come into operation unless either the landlord or the tenant desired it, and it would not come into force against the will of either landlord or tenant. In many cases it would tell against the tenant, but he did not think they should consider the interests of the tenants merely, but the interest of the country as a whole. He did not, however, think they should force the landlord or tenant to have this record at the present moment unless they desired it, but if the landlord or tenant desired it they could have it.

Amendments agreed to.

MR. MUNRO FERGUSON (Leith Burghs) on Clause 11 moved that the Bill should not apply to Scotland, and said that although various alterations which had been proposed in regard to Scotland had been received with very general support, others had not. He wished to know what the Government intended to do as to the right of the tenant to lay down permanent pasture. Then there was the question of whether the statutory valuation should be paid by the owner instead of by the incoming tenant. He did not wish to suggest the exclusion of Scotland, but nearly the whole of the debates had been conducted with regard to the situation in England, and he thought that in another place attempts might be made to give effect to the wishes of the tenant farmers in Scotland. The Secretary for Scotland seemed to think that the establishment of a land court in Scotland was a proposal in which he could not concur, but the system of statutory compensation was in force nearly everywhere in Scotland, at all events in the great majority of cases. He was much struck by the attitude of the Scottish farmers towards this Bill which gave compensation to every selling tenant, and it was to the interest of every tenant to take the Bill, but the provisions which gave the greatest advantage to the selling tenant were rejected by the agriculturists of Scotland. On the other point they had asked for provisions which he supported as he regarded their interests to be the same as his own. He hoped their claims would not be forgotten in another place.

Amendment proposed—

"In page 4, line 33, to leave out from the word '1900' to the end of clause 11.

Question proposed, "That the words proposed to be left out stand part of the clause."

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire) said it was not possible to accept the Amendment which the hon. Member had proposed upon the present stage, but having had some conversation with the hon. Member in regard to the points which he had raised and also having conferred with his right hon. friend the President of the Board of Agriculture, he was authorised to say that so far as regarded Scotland he would be very glad to consider the points raised by the hon. Member for Leith Burghs. As regarded two of them, the trapping and the incoming tenant, he was willing to give an assurance, and he would see that those points were considered when the Bill reached another place. As to permament pasture, the question as to which had only arisen that evening, he had not had the opportunity of submitting it to the President of the Board of Agriculture, but he would be glad to do so.

*MR. MORTON said he did not know what had been going on between the Secretary for Scotland and Lord Carrington, but he would see his noble friend and explain to him what he thought of the attempt to deprive Scotland of the advantages of the Bill. The attempt was made by the Tory Party or by Liberal landlords who were a little worse than the Tory Party, and had done all they could to destroy the Bill. The hon. Member for Leith Burghs did not represent Scotland in this matter, and the Government could only take their cue from the Scottish Liberal Members. The Scottish members had met, and had informed the Government that they desired to have Scotland included in the Bill.

Amendment, by leave, withdrawn.

Amendment—

"In Schedule, page 5, to leave out lines 8 and 9."—(*Sir Edward Strachey.*)

Bill to be read the Third time this day, and to be printed. [Bill 353.]

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at three minutes before One o'clock.

[APPENDICES.

APPENDIX I.

PUBLIC BILLS

DEALT WITH IN VOLUME CLXIV.

Those marked thus* are Government Bills. The figures in parentheses in the last column refer to the page in this volume. "[H.L.]" following title indicates that the Bill originated in the House of Lords.

(A.) HOUSE OF LORDS.

Title of Bill.	Brought in by	Progress.
*Education (England and Wales)	*Earl of Crewe*	Committee 5th Nov. (12) Committee 6th Nov. (241) Committee 7th Nov. (437) Committee 8th Nov. (658) Committee 12th Nov. (921) Committee 14th Nov. (1412)
*Trade Disputes		Read 1^{a} 12th Nov. (915)

(B.) HOUSE OF COMMONS.

Title of Bill.	Brought in by	Progress.
*Land Tenure	*Mr. Agar Robartes*	Report 6th Nov. (353) Report 7th Nov. (573) Report 8th Nov. (761) (851) Report 12th Nov. (1071) Report 13th Nov. (1312) Report 14th Nov. (1519)
Public Health Acts (Building Bye Laws) [H.L.]	*Lord Robert Cecil*	Read 1^{o} 5th Nov. (142)
*Trade Disputes	*Sir John Walton*	Report 5th Nov. (145) Read 3^{o} and passed 9th Nov. (856)
Weekly Rest Day	*Mr. Goddard Clarke*	Read 1^{a} 6th Nov. (353)
Women's Enfranchisement	*Mr. Keir Hardie*	Read 1^{o} 7th Nov. (571)

APPENDIX II.

HOUSE OF COMMONS, SESSION 1906.

LIST OF RULES, ORDERS, &c., which have been presented during the Session, and are required by Statute to lie for an appointed number of Days upon the Table of the House.

In Continuation of List given in previous Volume.

Title of Paper.	Date from which the Period runs.	Period to lie upon the Table.
Shop Hours Act, 1904,—Copy of Order made by the Urban District Council of Leyton, and confirmed by the Secretary of State for the Home Department, fixing the Hours of Closing for Chemists' and Druggists' Shops within the District [4 Edw. VII., c. 31, s. 3 (3)]	6 November	40 days
Intermediate Education (Ireland),—Copy of Rules and Programme of Examinations for 1908 [41 and 42 Vic., c. 66, s. 6]	9 November	40 days

INDEX

TO THE

PARLIAMENTARY DEBATES

[AUTHORISED EDITION].

THIRTEENTH VOLUME OF SESSION 1906.

NOVEMBER 5—*NOVEMBER* 14.

EXPLANATION OF ARRANGEMENT AND ABBREVIATIONS.

Bills: Read First, Second, or Third Time = 1R., 2R., 3R. [*c.*] = Commons. [*l.*] = Lords. *Amendt.* = Amendment. *Os.* = Observations. *Qs.* = Questions. *As.* = Answers. *Com.* = Committee. *Con.* = Consideration. *Rep.* = Report.

Where in the Index * is added with Reading of a Bill, or a Vote in Committee of Supply, it indicates that no Debate took place on that Stage of the Bill, or on that Vote.

Subjects discussed in Committee of Supply are entered under their headings, and also under Members' Names, without reference to the actual Vote before the Committee.

Abbeyfeale

Fair—Complaints as to Insufficient Supply of Railway Wagons.
Q. Mr. O'Shaughnessy; *A.* Mr. Kearley, *Nov. 7,* 570, 571.
Q. Mr. O'Shaughnessy; *A.* Mr. Lloyd-George, *Nov. 12,* 1004.

Accrington

Polling Districts, Order re-dividing, Presented, *Nov. 6,* 240, 310.

Ackland, Mr. F. W. [Yorks., Richmond]

Land Tenure Bill, *Con., Nov. 13,* 1326–1330.

Acland-Hood, Rt. Hon. Sir A. [Somerset, Wellington]

Business of the House, Course of, *Nov. 5,* 141.

Land Tenure Bill, *Con. Nov. 6,* 424; *Nov. 8,* 773; *Nov. 12,* 1096, 1236, 1241; *Nov. 13,* 1367, 1368; *Nov. 14,* 1587.

Parliamentary Procedure Resolutions, Proposals for Discussing, *Nov. 14,* 1517.

Acts of Parliament

Legislation by Reference—Printing Sections in Footnotes proposed.
Q. Mr. Bramsdon; *A.* Sir H. Campbell-Bannerman, *Nov. 13,* 1310.

Administrative County of London and District Electric Power Bill

Order for Second Reading read, etc., and Bill withdrawn, *Nov. 7,* 516.

Admiralty

First Lord—Rt. Hon. Lord Tweedmouth.
Financial Secretary—Rt. Hon. E. Robertson.

Chain Contracts—Procedure in obtaining Form of Tender.
Q. Mr. Hooper; *A.* Mr. E. Robertson, *Nov. 6,* 319.

Africa

Wild Animals, Preservation of—Correspondence Presented, *Nov. 12,* 917, 999.

Africa, Central

British Protectorate
Chinde Foreshore, Proposals for Preserving, etc.
Q. Mr. Rees; *A.* Mr. Churchill, *Nov. 12,* 1041.
Labour Recruiting for Transvaal Mines, Regulations as to.
Qs. Mr. H. Cox, Sir G. Parker Mr. D. MacIver; *As.* Mr. Churchill, *Nov. 14,* 1488, 1489.
Legislative Council, Proposals as to.
Qs. Mr. Rees; *As.* Mr. Churchill, *Nov. 5,* 112.

Africa, East

Portuguese Territory — Labour Recruiting Facilities in.
Qs. Mr. Mackarness, Mr. Dalziel; *As.* Mr. Churchill, *Nov. 12*, 1048, 1049.

Africa, South

[*see also names of Colonies.*]

Garrison in

Pay of Officers, Increase in, proposed.
Q. Mr. Brodie; *A.* Mr. Haldane. *Nov. 14*, 1478.

Land Settlement Scheme

Boers and Britons, Relations between.
Os. Lord Lovat, *Nov. 14*, 1385, 1404, 1405; Lord Courtney, 1404–1406.

Land Board, Establishment of, proposed.
Os. Lord Lovat, *Nov. 14*, 1386, 1387; Duke of Marlborough, 1388, 1389; Earl of Elgin, 1391; Earl of Durham, 1394; Viscount Milner, 1397, 1400, 1401.

Number of Settlers.
Os. Duke of Marlborough, *Nov. 14*, 1388; Lord Courtney, 1406, 1407; Lord Lovat, 1407.

Ridgway Commission Report, Terms of —Tabling proposed.
Os. Lord Lovat, *Nov. 14*, 1383, 1412; Lord Milner, 1396, 1399; Marquess of Ripon, 1412.

Selborne's, Lord, Letter, Terms of
Os. Lord Lovat, *Nov. 14*, 1386; Earl of Elgin, 1391; Viscount Milner, 1397.

Status of Settlers, Steps taken for Protection of and Safeguarding Interests, etc.
Os. Lord Lovat, *Nov. 14*, 1382–1388; Duke of Marlborough, 1388–1391; Earl of Elgin, 1391, 1392; Earl of Durham, 1392–1394; Viscount Milner, 1394–1403; Lord Courtney, 1403–1408; Marquess of Lansdowne, 1408–1411; Marquess of Ripon, 1411, 1412.

War Contribution Loan, Allocation of, to Land Settlement Purposes.
Os. Duke of Marlborough, *Nov. 14*, 1388; Viscount Milner, 1402, 1403.

Africa, West

[*See also names of places.*]

Forced Labour, Conditions of Employment, Method of Payment, etc.
Qs. Mr. J. C. Wason; *As.* Mr. Churchill, *Nov. 5*, 116–118, 119.

Aghnacliffe

Telegraph Extension to.
Q. Mr. Farrell; *A.* Mr. Buxton, *Nov. 14*, 1462.

Agnew, Mr. G. W. [Salford, W.]

Colombia—Arrangements as to Parcels Post, *Nov. 7*, 549.

Peru, Route for Parcels Post to, *Nov. 7*, 549.

Agriculture and Fisheries, Board of

President—Rt. Hon. Earl Carrington.

Agriculture and Technical Instruction Department, Ireland

Vice-President, Decision as to.
Q. Mr. Mooney; *A.* Mr. Bryce, *Nov. 7*, 566.

Ahascragh

Malicious Injury to J. Fallon's Bullock.
Q. Mr. C. Craig; *A.* Mr. Bryce, *Nov. 14*, 1515.

Aland Islands

Russian Occupation of.
Q. Mr. Rees; *A.* Sir E. Grey, *Nov. 7*, 532.

Alden, Mr. P. [Middlesex, Tottenham]

Civil Service Assistant Clerks performing Duties of Second Division Clerks, Allowances to, *Nov. 14*, 1458.

Congo Free State

Consular Representation in—Rumoured Concession of Land to American Syndicate, etc., *Nov. 6*, 327.

Stannard, Rev. E., Case of, *Nov. 13*, 1289.

Law Courts—Appointment of Solicitors to Advise Poor Litigants, proposed, *Nov. 7*, 522.

Office of Works—Case of R. Bewsey, *Nov. 13*, 1275.

Ramsgate School Site, Reply to Memorial against, *Nov. 12*, 1025.

Trade Unions, Proposals for Encouraging Out-of-work Benefits of, *Nov. 7*, 522.

Whitechapel, Deaths from Starvation in—Provision for Medical Attendance of Destitute Persons, etc., *Nov. 12*, 1062.

Woolwich Arsenal Discharges—Decision as to Assisting Discharged Men, etc., *Nov. 6*, 321.

Aliens

Diseased, Segregation of—Liability for Cost of Treatment of Aliens rejected in United States, etc.
Qs. Sir W. Evans-Gordon; *As.* Mr. Gladstone, *Nov. 6*, 330, 331.

Gipsies, *see that title.*

Nettlau, Max, Case of.
Qs. Mr. K. Hardie; *As.* Mr. Gladstone, *Nov. 8*, 745, 746; *Nov. 13*, 1291.

[*cont.*

Aliens—*cont.*
Undesirable, International Arrangement as to Asylum for, proposed.
Q. Mr. Fell; *A.* Sir E. Grey, *Nov. 8*, 741, 742.

Aliens Act
Administration, Jewish Suggestions as to.
Q. Sir H. Vincent; *A.* Mr. Gladstone, *Nov. 12*, 1058, 1059.

Allen, Mr. A. A. [Christchurch]
Straits Settlements—Opium Consumption during last Ten Years, *Nov. 13*, 1274.
Telegraph Office, Central—Overtime during June, July and August, *Nov. 7*, 518.

Ambrose, Dr. R. [Mayo, W.]
Innishlyre Harbour Works—Return as to Correspondence, proposed, *Nov. 9*, 855.

Ampthill, Lord
Education (England and Wales) Bill, *Com.*, *Nov. 8*, 694; *Nov. 12*, 974–978, 986.

Annagh
Magistrate, Proposals for Appointing.
Q. Mr. Hogan; *A.* Mr. Bryce, *Nov. 6*, 344, 345.

Anson, Sir W. R. [Oxford University]
Land Tenure Bill, *Con.*, *Nov. 6*, 429; *Nov. 7*, 615.

Anstruther-Gray, Maj. [St. Andrews Burghs]
Fisheries, Scotland—Proposals for Dealing with Damage caused by Whaling Stations, *Nov. 7*, 555.

Ardarroch
Pier, Application for Grant for.
Q. Mr. Morton; *A.* Mr. Sinclair, *Nov. 14*, 1500.

Ardmayle
Postal Facilities, Improvements of, proposed.
Q. Mr. K. O'Brien; *A.* Mr. Buxton, *Nov. 5*, 98.

Ardlow Pier and Harbour
Proposals as to.
Q. Sir T. Esmonde; *A.* Mr. Bryce, *Nov. 5*, 93.
Report, Authority Requesting.
Q. Sir T. Esmonde; *A.* Mr. Bryce, *Nov. 8*, 759.

Armagh
Parliamentary Election—New Writ Issued, *Nov. 5*, 82.
Union Schools—Superannuation Allowance of Miss M'Kee.
Q. Mr. McKillop; *A.* Mr. Bryce, *Nov. 12*, 1028, 1029.

Army
Secretary of State—Rt. Hon. R. B. Haldane.
Parliamentary Secretary—Earl of Portsmouth.
Financial Secretary—Mr. T. R. Buchanan.
Artillery
- Reductions, Proposals as to.
  Q. Mr. Arnold-Forster; *A.* Mr. Haldane, *Nov. 7*, 528.
- Royal Field—Reduction Proposals for 40th Brigade.
  Q. Mr. T. H. Davies; *A.* Mr. Haldane, *Nov. 8*, 724, 725.

Carroll, H. J., Case of.
Q. Mr. Brodie; *A.* Mr. Haldane, *Nov. 14*, 1477, 1478.

Cavalry Distribution in the United Kingdom.
Q. Mr. Pirie; *A.* Mr. Haldane, *Nov. 14*, 1466, 1467.

Gage, Lieut., Case of.
Qs. Sir G. Parker, Viscount Turnour; *As.* Mr. Haldane, *Nov. 12*, 1036, 1037.

Ipswich Barracks Alterations—Rate of Wages paid by Contractors.
Qs. Mr. J. Ward; *As.* Mr. Haldane, *Nov. 7*, 527; *Nov. 12*, 1038.

Military Attachés, Language Qualifications of.
Qs. Sir G. Parker, Sir H. Vincent; *As.* Mr. Haldane, *Nov. 12*, 1038, 1039.

Military Instruction in Schools, *see that title.*

Netley Hospital, Discharge of Bed-ridden Soldiers from, *see subheading* Soldiers—Disabled and Incurable.

Nursing Service—Promotion System and Reason for showing Names alphabetically in Army List.
Q. Mr. Rendall; *A.* Mr. Haldane, *Nov. 7*, 529, 530.

Officers' Pay, Proposals as to.
Q. Mr. Brodie; *A.* Mr. Haldane, *Nov. 14*, 1478.

Pensions
- Pearce, Private E., Case of.
  Qs. Colonel Herbert; *As.* Mr. Haldane, *Nov. 12*, 1037.
- Period for Paying.
  Q. Mr. Partington; *A.* Mr. Haldane, *Nov. 7*, 530.

Personnel, Reduction of—Disbanded Regiments, Disposal of Officers of.
Q. Mr. C. Salter; *A.* Mr. Haldane, *Nov. 7*, 530, 531.

Pitt, Sergeant (now Private) Case of.
Q. Viscount Turnour; *A.* Mr. Haldane, *Nov. 7*, 529.

[*cont.*

Army—*cont.*
Preston Barracks, Utilisation of.
Q. Viscount Turnour; *A.* Mr. Haldane, *Nov. 13*, 1284, 1285.
Service Corps—Proposals for Technical Training of Officers.
Q. Sir H. Vincent; *A.* Mr. Haldane, *Nov. 8*, 731.
Soldiers
Civil Employment on Discharge
Government proposals as to.
Q. Sir S. Scott; *A.* Sir H. Campbell Bannerman, *Nov. 6*, 349.
Number employed in Government Departments.
Qs. Colonel Warde, Mr. C. Hay; *As.* Mr. Haldane, *Nov. 8*, 731, 732.
Report of Committee, Proposals as to adoption of.
Q. Mr. Fetherstonhaugh; *A.* Mr. Haldane, *Nov. 5*, 94.
Disabled and Incurable, Maintenance of—Reason for Discharge of Invalids from Netley, etc.
Os. Mr. T. L. Corbett, *Nov. 8*, 761, 817, 840; Lord R. Cecil, 820, 835; Mr. J. Ward, 822, 827, 840; Mr. Haldane, 824, 830, 831, 839; Major Seely, 827; Sir S. Scott, 829; Mr. Delany, 830,; Mr. Burdett-Coutts, 831; Mr. Maddison, 833, 838; Mr. H. H. Marks, 836; Mr. Wyndham, 837, 841; Mr. C. Hay, 842; Mr. Causton, 844; Mr. Forster, 844; Mr. W. Redmond, 846.
Qs. Lord R. Cecil, Mr. Crooks, Mr. Ashley, Mr. C. Hay, Mr. Delany, Mr. T. L. Corbett; *As.* Mr. Haldane, Mr. Speaker, *Nov. 5*, 108–110.
Qs. Mr. T. L. Corbett, Major Seely, Mr. J. Ward; *As.* Mr. Haldane, *Nov. 8*, 737, 738.
Grant for, proposed.
Qs. Mr. Ashley; *As.* Mr. Haldane, *Nov. 13*, 1035.
Workhouses, Soldiers in, etc., *see* Workhouses.
Tidworth Barracks—Decision as to Provision of Hospital.
Q. Captain Faber; *A.* Mr. Haldane, *Nov. 6*, 320.
Woolwich Arsenal
Cost of Stores produced—Comparison with Purchases from Private Contractors, etc.
Q. Mr. Barnes; *A.* Mr. Haldane, *Nov. 8*, 733.

Army—*cont.*
Woolwich Arsenal—*cont.*
Discharges
Assistance, Proposals as to.
Qs. Mr. Remnant, Mr. Dalziel; *As.* Mr. Haldane, *Nov. 12*, 1039, 1040.
Qs. Captain Faber, Sir W. Evans-Gordon, Mr. Chiozza Money, Mr. Alden, Mr. A. Henderson; *As.* Mr. Haldane, *Nov. 6*, 320–322.
Length of Service of Discharged Men, Bonus given, etc.
Q. Sir G. Parker; *A.* Mr. Haldane, *Nov. 12*, 1035, 1036.
Statistics as to.
Q. Mr. Meysey-Thompson; *A.* Mr. Haldane, *Nov. 7*, 526.
Q. Mr. Barnes; *A.* Mr. Haldane, *Nov. 8*, 734.
Information as to Number of Men employed, Wages, Plant, etc., etc.
Q. Mr. Crooks; *A.* Mr. Haldane, *Nov. 12*, 1014.
Private Contractors, Information supplied to.
Q. Mr. Crooks; *A.* Mr. Haldane, *Nov. 8*, 736.
Utilisation of Plant on other Work during Slack Times proposed.
Qs. Mr. Chiozza Money; *As.* Mr. Haldane, *Nov. 13*, 1285.

Arnold-Forster, Rt. Hon. H. O. [Croydon]
Artillery Reductions, Proposals as to, *Nov. 7*, 528.
Navy Memorandum—Interpretation of "Serving afloat," *Nov. 7*, 521.

Ashbourne, Lord
Education (England and Wales) Bill, *Com. Nov. 5*, 30; *Nov. 6*, 257; *Nov. 7*, 462, 463, 501; *Nov. 8*, 655, 659, 662, 671, 680, 681.
Peers Sitting and Voting, without having previously taken the Oath—Committee of Inquiry into, proposed, *Nov. 5*, 10.
Penalties for, Question as to enforcing, *Nov. 5*, 10.

Ashley, Mr. W. W. [Lancashire, N., Blackpool]
Education
Five Years, Discouragement of Attendance of Children under, proposed, *Nov. 14*, 1496.
West Riding Appeal Case, Date of Hearing, *Nov. 14*, 1497.
Newfoundland Fisheries, *Modus vivendi* with United States as to—Reason for course of Action taken, etc., *Nov. 5*, 115; *Nov. 7*, 537.
Soldiers, Bed-ridden, Discharged from Netley—Proposals for Maintenance, *Nov. 5*, 109; *Nov. 12*, 1035.

Asquith, Rt. Hon. H. H.—*Chancellor of the Exchequer* [Fife, E.]
- Beer Tax—Application to Farmhouses, *Nov. 12*, 1026.
- Coinage and Currency—Gold Reserve
  - Proposals for Forming, *Nov. 5*, 121.
  - Publication of Monthly Balance Sheet by Banks, proposed, *Nov. 13*, 1290.
- Income Tax
  - Amount paid in Respect of Insufficiently Assessed Incomes and as Conscience Money during last Ten Years, *Nov. 7*, 520.
  - Assessments—Appeals (1904–5) Return as to, proposed, *Nov. 12*, 1025.
- Land Tenure Bill, *Con*; *Nov. 14*, 1606.
- Motors—Taxation According to Horse-power proposed, *Nov. 6*, 329.
- Scotland, Probate Administration in, *Nov. 5*, 120.
- Soap, Foreign—Removal of Import Duty on, proposed, *Nov. 5*, 121.
- Trade Disputes Bill, *Con.*, *Nov. 5*, 186.

Astbury, Mr. J. M. [Lancashire, Southport]
- Trade Disputes Bill, *Con.*, *Nov. 5*, 188–190.

Atherley-Jones, Mr. L. [Durham, N.W.]
- Trade Disputes Bill, *Con.*, *Nov. 5*, 181, 184, 210–212.

Attorney-General
- *Sir J. Lawson Walton.*

Attorney—General for Ireland
- *Rt. Hon. R. R. Cherry.*

Australasia
- [*For* particular States, etc., *see their names.*
- Commerce (Trade Descriptions) Act, 1903—Effect on British Trade, etc.
  - *Q.* Mr. Seaverns; *A.* Mr. Churchill, *Nov. 8*, 720, 721.
- Taxation of Unimproved Value of Land—Papers Presented, *Nov. 14*, 1381, 1457.

Avebury, Lord
- Education (England & Wales) Bill, *Com.*, *Nov. 8*, 673; *Nov. 12*, 937, 940; *Nov. 14*, 1491, 1421.

Balcarres, Lord [Lancashire, N., Chorley]
- Land Tenure Bill, *Con.*, *Nov. 7*, 627.
- St. Helena Grant, Proposals as to, *Nov. 13*, 1286.
- Small Landholders (Scotland) Bill, Proposals as to, *Nov. 7*, 559.

Balfour, Rt. Hon. A. J. [London]
- Business of the House
  - Adjournment, Motion for—Effect of Postponement, *Nov. 14*, 1518, 1519.

Balfour, Rt. Hon. A. J.—*cont.*
- Business of the House—*cont.*
  - Course of, *Nov. 5*, 140, 141; *Nov. 13*, 1311.
- Cape Colony—Information as to, Ferreira Raid, *Nov. 12*, 1053.
- Land Tenure Bill, *Con.*, *Nov. 6*, 353–357, 396, 405–408, 430–432; *Nov. 7*, 579–581, 603, 607, 617, 619, 647; *Nov. 8*, 768, 784; *Nov. 12*, 1107, 1108, 1118, 1154–1158, 1163–1165, 1201, 1206–1208, 1260–1263. *Nov. 13*, 1324–1326, 1338, 1354, 1379; *Nov. 14*, 1524–1526, 1527; 1553, 1554, 1562.
  - Proposals as to, *Nov. 5*, 140, 141.
- Strangers, Espial of—Procedure under Standing Order, 91, *Nov. 6*, 351.
- Trade Disputes Bill, *Con.*, *Nov. 5*, 169, 170, 193–195, 222–224, 230, 231, 235; 3R., *Nov. 9*, 876–878, 906–912.
- Wireless Telegraphy Conference at Berlin—Opportunity for Discussing Convention, *Nov. 5*, 132.

Balfour of Burleigh, Lord
- Adjournment of the House from Nov. 12, to Nov. 14, proposed, *Nov. 8*, 654.
- Education (England and Wales) Bill, *Com.*; *Nov. 6*, 295; *Nov. 7*, 457; *Nov. 14*, 1415, 1418.

Ballina
- Fairs, Additional—Reply to Memorial.
  - *Q.* Mr. Fetherstonhaugh; *A.* Mr. Bryce, *Nov. 13*, 1278, 1279.

Ballinafad
- Religious Meetings held by Mrs. Kennedy—Police Protection, etc.
  - *Q.* Mr. Barrie; *A.* Mr. Bryce, *Nov. 6*, 341, 342.

Ballycastle
- Harbour Improvement, Decision as to.
  - *Q.* Mr. Sloan; *A.* Mr. Bryce, *Nov. 5*, 104.
- Railway Extension to, proposed.
  - *Q.* Mr. Fetherstonhaugh; *A.* Mr. Bryce, *Nov. 13*, 1279.

Banbury, Sir F. G. [London, City]
- Land Tenure Bill, *Con.*, *Nov. 6*, 393, 419–421, 432, 435; *Nov. 7*, 602, 604, 605, 630, 642; *Nov. 8*, 782, 804, 812; *Nov. 12*, 1077, 1085–1087, 1093, 1094, 1099, 1107, 1120–1123, 1185, 1186, 1204–1206, 1236; *Nov. 13*, 1356, 1359, 1363, 1365; *Nov. 14*, 1534–1536, 1566, 1576.
- Trade Disputes Bill, *Con.*, *Nov. 5*, 145–149, 152, 153, 157–159, 210. 224; 3R., *Nov. 9*, 883–889

Bann and Lough Neagh
- Drainage Proposals.
  - *Q.* Mr. C. Craig; *A.* Mr. Bryce, *Nov. 7*, 566.

Baring, Mr. G. [Isle of Wight]
Portsmouth Barracks—Inquiry into Cause of Disturbance among Stokers, *Nov. 8,* 728.

Barker, Mr. J. [Penryn and Falmouth]
Land Tenure Bill, *Con., Nov. 12,* 1151.

Barnard, Lord
Education (England and Wales) Bill, *Com, Nov. 5,* 29.

Barnes, Mr. J. N. [Glasgow, Blackfriars]
War Office Contracts, Rule as to Allocation of, *Nov. 8,* 733, 734, 735.
Woolwich Arsenal
Cost of Stores produced at, *Nov. 8,* 733.
Statistics as to Discharges and Retentions in 1906, *Nov. 8,* 734.

"Baron Huntley"
Loss of—Proposals as to Inquiry.
Q. Mr. H. Wilson ; *A.* Mr. Lloyd-George, *Nov. 14,* 1471, 1472.

Barrie, Mr. H. T. [Londonderry, N.]
Ballinafad—Religious Meetings held by Mrs. Kennedy, etc., *Nov. 6,* 341.
Claremorris District Council Clerkship—Qualifications of Candidates, *Nov. 6,* 641.
Galway Election Disturbances, Information as to, *Nov. 8,* 754.
Poor Law Commission Report—Date of making Statement, *Nov. 12,* 1013.
Ryan, Loch—Alleged Obstruction to Shipping by Oyster Fishery Company, *Nov. 8,* 748.
Trade Disputes Bill, 3R., *Nov. 9,* 873.

Bath, Bishop of
Education (England and Wales) Bill, *Com. Nov. 12,* 966–969.

Bawnboy Union
Distress in—Reply to Memorial from Ratepayers, etc.
Q. Mr. V. Kennedy; *A.* Mr. Bryce, *Nov. 6,* 344.

Beach, Mr. M. Hicks [Gloucestershire, Tewkesbury]
Land Tenure Bill, *Con., Nov. 6,* 408, 409, 427, 428; *Nov. 7,* 596, 598, 601; *Nov. 8,* 774, 810; *Nov. 12,* 1173, 1245; *Nov. 13,* 1342, 1359, 1371; *Nov. 14,* 1564, 1573, 1580–1582.
St. Helena
Garrison, Withdrawal of—Saving effected, etc., *Nov. 8,* 731.
Grant in Aid for, proposed, *Nov. 7,* 535, 536; *Nov. 13,* 1286.

Beale, Mr. W. P. [Ayrshire, S.]
Land Tenure Bill, *Con., Nov. 8,* 762, 797, 803; *Nov. 12,* 1081, 1088; *Nov. 14,* 1533.

Beaumont, Mr. H. [Sussex, Eastbourne]
Land Tenure Bill, *Con., Nov. 6,* 378.

Bedford
Quarter Sessions—Sentence on G. Woods and W. C. Hutchinson.
Q. Mr. Thorne, Mr. G. Roberts; *A.* Mr. Gladstone, *Nov. 8,* 745.

Beer Tax
Farm houses, Application to.
Q. Mr. Everett; *A.* Mr. Asquith, *Nov. 12,* 1025, 1026.

Bell, Mr. R. [Derby]
Trade Disputes Bill, 3R., *Nov. 9,* 915, 916.

Bellaghy
Labourers' Cottage—Application of P. M'Callion.
Q. Mr. P. O'Brien ; *A.* Mr. Bryce, *Nov. 12,* 1027, 1028.

Bellairs, Mr. C. [Lynn Regis]
Canton Delta, Proposals for Dealing with Piracy in, *Nov. 5,* 95.
Malta Garrison—Strength in 1896 and 1906, *Nov. 13,* 1285.
Navy
Annual Return of Fleets, Form of, *Nov. 8,* 731.
Additional Particulars of Guns, proposed, *Nov. 12,* 1000.
Battleships—
Comparison with Foreign Countries, *Nov. 14,* 1480.
Designs, Speed Specification in—Expert Opinion on Cost of Excessive Speed, etc., *Nov. 6,* 318.
Unarmoured Ends, Danger of, *Nov. 8,* 726.
Cap Ribbons, Decision as to Supply of, *Nov. 14,* 1479.
Dartmouth—System of Teaching Navigation, *Nov. 12,* 1031.
Distribution of Ships, etc., Changes proposed in, *Nov. 5,* 83.
Home Fleet, Constitution, etc., of, *Nov. 7,* 517.
Lists, Vessels shown in, *Nov. 8,* 721.
Portsmouth Barracks—Inquiry into Cause of Disturbance among Stokers, *Nov. 8,* 728.
Redistribution Scheme—Names of Vessels, etc., *Nov. 6,* 319.
Shipbuilding Programme, Conditions Determining, *Nov. 13,* 1282.
Ships' Police, Proposals for Abolishing, *Nov. 14,* 1472.
Shore Establishments, Commissioned Ships, etc., Return as to Officers and Men in, proposed, *Nov. 12,* 1030.
Unarmoured Cruisers, Proposals for Replacing, *Nov. 8,* 726.

Belper, Lord
Education (England and Wales) Bill, *Com.*, *Nov. 6*, 278; *Nov. 7*, 443, 451; *Nov. 12*, 948; *Nov. 14*, 1427, 1430, 1438.

Benn, Sir J. W. [Devonport]
Naval Dockyards—Financial Year, Date of Commencing, etc., *Nov. 7*, 518.

Bertram, Mr. J. [Herts, Hitchin]
Land Tenure Bill, *Con.*, *Nov. 6*, 413, 414; *Nov. 13*, 1372, 1373; *Nov. 14*, 1574, 1575.
Lords-Lieutenant—Residence Qualification of Deputy-lieutenants, *Nov. 13*, 1280.
Postal Officials and Political Discussions——Speech made by Sir R. Hunter, *Nov. 14*, 1474.

Bills
Incompleted in one Session, Taking up at same Stage in subsequent Session proposed.
Q. Mr. C. B. Harmsworth; *A.* Sir H. Campbell-Bannerman, *Nov. 12*, 1064.

Birmingham, Bishop of
Education (England and Wales (Bill, *Com.*, *Nov. 5*, 18, 69; *Nov. 6*, 270; *Nov. 7*, 500, 502; *Nov. 12*, 937; *Nov. 14*, 1429.

Birrell, Rt. Hon. A.—*President, Board of Education* [Bristol, N.]
Cheltenham Ladies' College—Reason for Refusal of Admission to Pupil from Leeds City Council School, *Nov. 8*, 749.
Church Basements, Number of Schools in, *Nov. 7*, 550.
Council Schools, Number of—Religious Instruction given in., etc., *Nov. 6*, 333.
Education (England and Wales) Bill
  Grant, Additional £1,000,000 Payment of, *Nov. 6*, 314.
  Union Jack, Provisions for Compulsory Hoisting of, over School Houses, proposed, *Nov. 14*, 1494.
Education (Provision of Meals) Bill—Provision for Demanding Payment for Meals, *Nov. 7*, 553.
Five Years, Attendance of Children under, *Nov. 14*, 1496, 1497.
Ladybower Navvy Settlement, School Accommodation for, *Nov. 7*, 552.
Military Instruction in Schools, Decision as to, *Nov. 14*, 1495, 1496.
Punishment Book, Regulations as to Keeping in Schools, *Nov. 7*, 552.
Ramsgate School Site, Reply to Memorial against, *Nov. 12*, 1052.
Religious Instruction—Bibles, etc., Obligations of Religious Authority to Provide, *Nov. 8*, 750.
Schools—Floor Space Allotted to each Child, *Nov. 7*, 550, 551.

Birrell, Rt. Hon. A.—*cont.*
Teachers
  Registration Fees, Allocation of, *Nov. 8*, 722.
  Superannuation Act Contributions—Account paid to, *Nov. 6*, 314.
Woldingham School, Proposals for Provision of, *Nov. 8*, 722.

Blairgowrie, Rattray & District Water Order Confirmation Bill
c. 1R.* *Nov. 8*, 719.

Boland, Mr. J. P. [Kerry, S.]
Cooscroum Marine Works, Decision as to, *Nov. 13*, 1303.
Glenbeigh and Glencar Potato Crop, Fears of Failure of, etc., *Nov. 13*, 1309.
Kenmare—Decision as to Prosecution in Hogan Case, *Nov. 7*, 562.
Kilgarvan Postal Facilities, Improvement of, proposed, *Nov. 6*, 348.
Reenard Pier Works, Decision as to, *Nov. 12*, 1009.
Valentia Island—Reinstatement Claim of M. Shanahan, *Nov. 13*, 1309.

Borestone [Stirlingshire]
Preservation of, as Ancient Monument, proposed.
Qs. Mr. Smeaton; *As.* Mr. Runciman, *Nov. 12*, 1063, 1064.

Borough Council Elections
Hours of Polling, Extension of, proposed.
Q. Mr. C. J. O'Donnell; *A.* Mr. Runciman, *Nov. 8*, 748.

Boston
Port By-laws—Effect of New By-law as to Pilotage Rates.
Qs. Mr. Joyce; *As.* Mr. Lloyd-George, *Nov. 14*, 1493, 1494.

Bottomley, Mr. H. W. [Hackney, S.]
Diplomatic and Consular Services, Conditions of Appointments to, *Nov. 6*, 326, 327.
Education (Provision of Meals) Bill, Proposals as to, *Nov. 5*, 139.
Judicial Statistics for 1905, Date of Publishing, *Nov. 8*, 746.
King's Bench Division, Cases Tried in—Dealing with Cases of under £100 in County Courts, proposed, *Nov. 8*, 752.
Prisoners Awaiting Trial—Increased Facilities for Bail, proposed, *Nov. 8*, 746.
Servia—Proposals as to Commercial Treaty with Great Britain, *Nov. 6*, 328.
Soap, Foreign Imported—Removal of Duty, proposed, *Nov. 5*, 121.

Bowles, Mr. G. S. [Lambeth, Norwood]
- Land Tenure Bill, *Con.*, *Nov. 7*, 591, 592.
- Navy
  - "Montagu," Salving of—Alleged Refusal of Dockyardmen to Work at Night, *Nov. 14*, 1479.
  - Portsmouth Barracks—Inquiry into Cause of Disturbance among Stokers, *Nov. 8*, 728.

Brace, Mr. W. [Glamorgan, S.]
- Magistrates, Oaths taken by, *Nov. 12*, 1060.

Brady and Moore, Messrs., Estates of
- Reinstatement Claim of E. M'Guinness. *Q.* Mr. T. Smyth; *A.* Mr. Bryce, *Nov. 12*, 1008.

Bramsdon, Mr. T. A. [Portsmouth]
- Greenwich Hospital Age Pensions, Information as to, *Nov. 13*, 1274, 1280.
- Legislation by Reference—Printing Sections referred to as Footnotes, proposed, *Nov. 13*, 1310.
- Naval Officers, Retired—Regulations as to Employment in Dockyards, *Nov. 6*, 317.

Braye, Lord
- Peers sitting and voting without having previously taken the Oath—Question of Privilege, *Nov. 5*, 10, 11.

Bridgeman, Mr. W. C. [Shropshire, Oswestry]
- Burwell Estate Scheme, Particulars as to, *Nov. 6*, 334.
- Hollesley Bay Labourers voting at London Municipal Election, *Nov. 13*, 1294, 1295.
- Land Tenure Bill, *Con.*, *Nov. 7*, 573; *Nov. 8*, 800.

Brighton
- Telephone Service—Conditions of Employment of Operators. *Q.* Mr. Nuttall; *A.* Mr. Buxton, *Nov. 5*, 87.

Brixham
- Trawling Ketch "J.E.S.S.," Damage done to Gear of by French Trawler—Measures taken for Protection of British Fishing Interests, etc. *Q.* Mr. Layland-Barratt; *A.* Mr. Kearley, *Nov. 5*, 130.

Broad Bay
- Trawling, Illegal, Measures for Prevention of. *Q.* Mr. Morton; *A.* Mr. Sinclair, *Nov. 14*, 1499.

Brodie, Mr. H. C. [Surrey, Reigate]
- Africa, South, Garrison in—Increase of Pay of Officers proposed, *Nov. 14*, 1478.
- Army
  - Carroll, H. J., Case of, *Nov. 14*, 1477.
  - Officers' Pay, Proposals as to, *Nov. 14*, 1478.
- Woldingham School, Proposals for Provision of, *Nov. 8*, 721.

Bryce, Rt. Hon. J.—*Chief Secretary for Ireland.* [Aberdeen, S.]
- Agriculture Department—Vice-President, Decision as to, *Nov. 7*, 566.
- Ahascragh—Malicious Injury to J. Fallon's Bullock, *Nov. 14*, 1515.
- Annagh—Proposal for Appointing Magistrate, *Nov. 6*, 345.
- Arklow
  - Harbour Report, Authority requesting, *Nov. 8*, 759.
  - Pier, Proposals as to, *Nov. 5*, 93.
- Armagh Union Schools—Superannuation Allowance of Miss McKee, *Nov. 12*, 1029.
- Ballina Additional Fairs—Reply to Memorial, *Nov. 13*, 1279.
- Ballinafad—Religious Meetings held by Mrs. Kennedy, etc., *Nov. 6*, 342.
- Ballycastle
  - Harbour Improvement, Decision as to, *Nov. 5*, 104.
  - Railway Extension to Proposed, *Nov. 13*, 1279.
- Bann and Lough Neagh, Drainage Proposals for, *Nov. 7*, 566.
- Bawnboy Union, Distress in—Reply to Memorial from Ratepayers of, *Nov. 6*, 344.
- Bellaghy Labourers' Cottages—Application, of P. McCallion, *Nov. 12*, 1028.
- Brady and Moore, Messrs., Estates of—Reinstatement Claim of E. McGuinness, *Nov. 12*, 1008.
- Cavan, Evicted Tenants, Inquiry into Cases of, *Nov. 8*, 754.
- Clare
  - Land Commission Cases awaiting Decision, *Nov. 7*, 564.
  - Railways—Burden imposed on Ratepayers, etc., *Nov. 6*, 340.
- Claremorris District Council Clerkships—Qualifications of Candidates, *Nov. 6*, 641.
- Coalisland Disturbances—Police Efforts to keep the Peace, etc., *Nov. 14*, 1509, 1510.
- Constable Scott, Reason for Promotion of, *Nov. 14*, 1506, 1507.
- Cooper Estate—Cases of J. McGrath and T. Barry, *Nov. 6*, 344.
- Cooscroum Marine Works, Decision as to, *Nov. 13*, 1303.

[*cont.*

Bryce, Rt. Hon. J.—*cont.*
- Coote Estate, Sale Proposals for, *Nov. 6*, 343.
- Courtown Harbour, Silting-up of—Proposals for Dredging, *Nov. 8*, 760.
- Crofter Estate—Reinstatement Claims of T. Travers and E. McLoughlin, *Nov. 12*, 1008.
- Croker Estate—Reinstatement Claim of Mr. Power, *Nov. 7*, 563.
- Delmege Estate, Sale Proposals for, *Nov. 6*, 343.
- Dicken Estate, Sale Proposals for, *Nov. 6*, 343.
- Downes-Martin Estate—Case of D. Looby, *Nov. 14*, 1468.
- Drogheda Estate, Sale Proposals for—Cases of D. Geoghegan and J. Costello, *Nov. 6*, 345, 346.
- Dromahair—Reason for Refusal of Entry to Drumlease Band, *Nov. 12*, 1011.
- Dublin Police Magistrates, Age for Retirement of, *Nov. 12*, 1027.
- Dunraven Estate Evicted Tenants—Case of T. Drew, *Nov. 8*, 755.
- Education
  - Grants, Proportion of, to Children—Comparison with Scotland, *Nov. 12*, 1012.
  - National School Teachers
    - Complaints against, Procedure in Investigating, *Nov. 13*, 1279.
    - Grievances, Proposals for Dealing with, *Nov. 8*, 753; *Nov. 14*, 1508.
    - Salaries under New Scheme, *Nov. 5*, 90.
  - Training Colleges—Decision as to Building Grants, *Nov. 8*, 758, 759.
- Erris—Proposals for Purchase of Estates of Mr. J. M. Coyne and Mr. Bengham, *Nov. 14*, 1461.
- Evictions
  - Grants to Evicted Tenants, proposed, *Nov. 12*, 1014.
  - Notices in September, Cause for giving, *Nov. 6*, 347.
  - Reinstatement, Applications for, and Cost of, *Nov. 7*, 560.
- Feagh School—Case of Mr. McCurdy, *Nov. 14*, 1470.
- Fermanagh Revision Sessions, Complaints as to, *Nov. 13*, 1307.
- Fermoy, Lord, Sale Proposals for Estate of, *Nov. 8*, 755.
- Floods in North of Ireland, Proposals for Prevention of, *Nov. 8*, 757.
- Galway, Parliamentary Election Disturbance—Conduct of Police, etc., *Nov. 7*, 567, 568; *Nov. 8*, 754.
- Glenbeigh and Glencar Potato Crop, Fears of Failure of, *Nov. 13*, 1309.

Bryce, Rt. Hon. J.—*cont.*
- Gortnahoe Meeting—Reason for Police Attendance, *Nov. 14*, 1468.
- Gurteeny—Outrage at House of M. Tuohy, *Nov. 14*, 1514.
- Hayes Estate—Case of Elizabeth Armstrong, *Nov. 12*, 1009.
- Innishlyre Harbour Works—Return as to Correspondence, proposed, *Nov. 9*, 855.
- Irvinestown—Reinstatement Claim of Mrs. L. Guinn, *Nov. 6*, 316.
- Kanturk—Scheme for Cabinet-making Instruction, *Nov. 14*, 1504.
- Kenmare—Decision as to Prosecution in Hogan Case, *Nov. 7*, 562.
- Kenmare Estate—Reinstatement Claim of D. O'Shea, *Nov. 5*, 90.
- Kildare and Leighlin Diocese, School Accommodation in, *Nov. 5*, 91.
- Killarney Quarter Sessions—Claim for Malicious Injury, *Nov. 7*, 568, 569.
- Kiltyclogher—Proposals for Relief of Distress, *Nov. 12*, 1013.
- Labourers Acts, Land acquired under—Powers of District Councils as to Letting, *Nov. 14*, 1504, 1505.
- Lambert Minor's Estate, Rent Recovery Proceedings on, *Nov. 12*, 1010.
- Land, Untenanted
  - Purchase Proposals for, *Nov. 14*, 1505.
  - Return, Date of Issue of, *Nov. 14*, 1514.
- Land Commission
  - Mortgages, Powers as to, under Act of 1903, *Nov. 7*, 531.
  - Sporting Rights, Regulations as to Vesting, *Nov. 14*, 1513.
  - Valuation of Land—Effect of Agricultural Depreciation, etc., *Nov. 13*, 1304.
- Land Judges Court—Estates which Estates Commissioners have refused to Purchase, *Nov. 6*, 311.
- Land Purchase
  - Company-owned Estates, Proposals as to, *Nov. 14*, 1506.
  - Middlemen, Position of, under Act of 1903, *Nov. 5*, 92.
  - October, Sales Pending in, *Nov. 13*, 1306.
  - Uneconomical Holdings, Policy as to, *Nov. 13*, 1305.
- Landes Estate—Reinstatement Claim of W. Malone and J. Geoghegan, *Nov. 7*, 563.
- Lauder Estate—Reinstatement Claim of T. M'Garty, *Nov. 13*, 1303.
- Limerick Fishery Board
  - Constitution of, *Nov. 13*, 1307.
  - Name of Auditor, *Nov. 14*, 1507.

[*cont.*

Bryce, Rt. Hon. J.—*cont.*
Lismore Sanitary Sub-officer—Reason for Refusal of Sanction to Appointment of Mr. Murphy, *Nov. 6*. 316.
Longford
Land Commission Sitting, Date of, *Nov. 14*, 1461.
Land Sales—Progress made with Inquiries, *Nov. 12*, 1012.
Petty Sessions Clerkship, Law Officers of the Crown consulted as to, *Nov. 13*, 1274.
Loughrea Petty Sessions—Speech made by Mr. P. J. Kelly, *Nov. 8*, 756; *Nov. 14*, 1512.
Magan Estate, Sale Proposals for, *Nov. 7*, 561.
Maher and Rotherham Estates—Disposal of Untenanted Land, *Nov. 14*, 1502.
Mahon Estate
Middlemen, Purchase Agreements lodged by, *Nov. 5*, 93.
Sub-tenants, Position of, *Nov. 12*, 1029.
Malone Estate Grass Farms, Disposal of, *Nov. 7*, 562; *Nov*, *13*, 1304, 1305.
Munster-Connaught Exhibition—Exclusion of British Flag from, etc, *Nov. 5*, 91.
Neagh, Lough, Fisheries—Revision of present System of Control, proposed, *Nov. 7*, 566.
Neptune Blood Estate Sale Proposals—Reason for Delay, etc., *Nov. 7*, 563.
Paget Estate, Sale Proposals for, *Nov. 13*, 1305.
Pakenham Estate Untenanted Land, Sale Proposals for, *Nov. 7*, 561.
Perry Knox Gore Estate, Sale Proposals for, *Nov. 13*, 1308.
Plunketstown—Case of Garret Stynes, *Nov. 5*, 104.
Pocklington Estate, Sale Proposals for, *Nov. 7*, 564.
Poe, Admiral, Estate of—Reinstatement Claim of P. McDonnell, *Nov. 14*, 1512.
Poor Law Commission Report—Date of making Statement, *Nov. 12*, 1013.
Public Trustee, Salary of—Amount placed with for Investment, etc., *Nov. 13*, 1308.
Railways and Canals, Proposals for Improving Administration of, *Nov. 14*, 1513.
Reenard Pier Works, Decision as to, *Nov. 12*, 1009.
Rosgarland Estate—Reinstatement Claim of P. and Mrs. Colper, *Nov. 14*, 1514.
Scarva—Shooting of Mr. Martin's Horse, Police Efforts to discover Offenders, etc., *Nov. 12*, 1010.
Skeagh Estate, Purchase of—Turbary Rights of Tenants, *Nov. 13*, 1303.

Bryce, Rt. Hon. J.—*cont.*
Southwell Estate, Sale Proposals for, *Nov. 14*, 1469.
Unemployed Grant of £200,000—Allocation of, *Nov. 8*, 756.
Ussher Estate—Reinstatement Claim of Mrs. Crothy, *Nov. 14*, 1511.
Valentia Island—Reinstatement Claim of Mr. Shanahan, *Nov. 13*, 1309.
Waterford Bridge Commission—Representation of South Riding of Tipperary, *Nov. 5*, 103.
Woodroffe Estate Untenanted Lands, Purchase Proposals for, *Nov. 14*, 1511.

Bull. Sir W. J. [Hammersmith]
National Portrait Gallery—Authenticity of Portrait of Charlotte Brontë, *Nov. 6*, 337.

Bundoran
Post Office—Case of T. Daly.
Q. Mr. Fetherstonhaugh; *A.* Mr. Buxton, *Nov. 5*, 98.

Burdett-Coutts, Mr. W. L. A. B. [Westminster]
Soldiers Incurably Disabled, Maintenance of—Reason for Discharge of Invalids from Netley, *Nov. 8*, 831.

Burghclere, Lord
Education (England and Wales) Bill, *Com.*, *Nov. 5*, 34.

Burmah
Opium Trade *see that title.*
Police Force—Effect of Transfers of Officers, etc.
Q. Sir S. King; *A.* Mr. Morley, *Nov. 12*, 1026.

Burns, Rt. Hon. J.—*President of the Local Government Board* [Battersea]
Cemeteries, Houses Erected on Borders of—Effect of Decision in Case of Godden *v.* Hythe Burial Board, *Nov. 12*, 1001.
Hollesley Bay Labour Colony—Authority for sending Men to London to Vote at Municipal Elections, *Nov. 7*, 545; *Nov. 12*, 1001; *Nov. 13*, 1295, 1296.
Knutsford School Attendance Officer J. Wheeler, Payment of Sum due to Widow of, *Nov. 7*, 546.
Local Government Act, 1888—Amendment as to Control of Expenditure, proposed, *Nov. 5*, 128.
Local Government Board Annual Report, Partiuclars shewn in, *Nov. 14*, 1473.
Longtown Poor Law Guardians and Application of Aged Widow for Relief, *Nov. 14*, 1481.
Malton Workhouse—Case of Tasker Family *Nov. 5*, 129.
Midwives, Training of—Legislation to enable County Councils to make Grants proposed, *Nov. 12*, 1022.

[*cont.*

Burns, Rt. Hon. J.—*cont.*
Nottingham Gas Committee, Allegations against, *Nov. 7*, 547.
Passive Resisters, Stay of Proceedings against, Pending Decision in West Riding Appeal Case, proposed, *Nov. 5*, 127.
Stepney Workhouse, Regulations as to Admission to—Case of Lily Hobson, *Nov. 7*, 546.
Unemployed
Distress Committees—Change of Name, proposed, *Nov. 6*, 313.
Grant of £200,000, Allocation of, *Nov. 7*, 533.
Vaccination, Cost of—Proposals for dealing with matter, *Nov. 12*, 1061.
Vaccination Acts, Administration, Proposals for improving, *Nov. 12*, 1062.
Water Supply, Inquiry into, proposed, *Nov. 7*, 544, 545.
Whitechapel
Aliens relieved in, during 1905, *Nov. 12*, 1061
Deaths from Starvation in—Provision for Medical Attendance of Destitute Persons, etc., *Nov. 12*, 1063.

Burwell Estate
Small Holdings, Particulars as to Scheme for Conversion into.
Qs. Mr. Bridgeman, Viscount Turnour, *As.* Sir E. Strachey, *Nov. 6*, 334, 335.

Business of the House
Adjournment, Motion for—Effect of Postponement.
Os. Mr. Lehmann, Sir H. Campbell-Bannerman, Mr. A. J. Balfour, Mr. Dalziel, Mr. Speaker, Mr. J. Redmond, *Nov. 14*, 1518, 1519.
Course of.
Os. Sir J. Leese, Sir H. Campbell-Bannerman, Mr. A. J. Balfour, Sir A. Acland-Hood, Sir H. Vincent, Mr. E. Cecil, Mr. A. Smith, *Nov. 5*, 140-142; Mr. K. Hardie, Mr. A. J. Balfour, Sir H. Campbell-Bannerman, *Nov. 12*, 1311, 1312.

Butcher, Mr. S. H. [Cambridge University]
Teachers' Registration Fees, Allocation of, *Nov. 8*, 722.

Butter
Legislation to prevent Fraud, Proposals for Introduction of.
Qs. Mr. Flynn; *As.* Sir H. Campbell-Bannerman, *Nov. 12*, 1065.

Buxton, Rt. Hon. S. C.—*Postmaster-General* [Tower Hamlets, Poplar]
Aghnacliffe, Telegraph Extension to, *Nov. 14*, 1462.

Buxton, Rt. Hon. S. C.—*cont.*
Ardmayle Postal Facilities, Improvement of, proposed, *Nov. 5*, 98.
Brighton Telephone System—Conditions of Employment of Operators, *Nov. 5*, 87.
Bundoran—Case of T. Daly, *Nov. 5*, 98.
Carstairs Junction Postman, Risk run by, in Crossing Metals to place Mail in Guard's Van, *Nov. 5*, 100.
Christmas Work, Scale of Payment for, *Nov. 5*, 87.
Circulation Office—Age of Supervising Officers, *Nov. 9*, 854.
Cocking—Authority for Re-direction of Registered Letter, *Nov. 6*, 332.
Colombia—Arrangements as to Parcels Post, *Nov. 7*, 549.
Correspondence with Foreign Countries in 1875 and 1905, *Nov. 14*, 1458.
Country Post Offices—Regulations as to Display of Name of Place, *Nov. 8*, 720.
Drumderg—Charge for Private Post Bag, *Nov. 7*, 532.
Glasgow Telephone System—Conditions of Employment of Operators, *Nov. 5*, 87.
House of Commons Post Office in Lobby—Cards for Members, not sent by Post, placing with Letters, proposed, *Nov. 6*, 333.
Kilgarvan Postal Facilities, Improvement of, proposed, *Nov. 6*, 348, 349.
Lottery Circulars, Prevention of Transmission of, *Nov. 6*, 331.
Newcastle (Limerick) Workhouse, Letter delivery at, *Nov. 14*, 1516.
Penny Post between United States and New Zealand—Proposals for Extension to United Kingdom, etc., *Nov. 5*, 131.
Peru, Route for Parcels Post to, *Nov. 7*, 549.
Postal Officials and Political Discussion—Speech made by Sir R. Hunter, *Nov. 14*, 1475.
Row—Letter Delivery and Collection by Mail Cart Driver, *Nov. 7*, 519.
Telegraph Service
Betting by Telegraph—Registered Address of A. Magnus, *Nov. 6*, 332.
Central Telegraph Office—Overtime during June, July and August, *Nov. 7*, 518.
Delays, Cause of, *Nov. 7*, 520.
Policy as to Size of Permanent Establishment, etc., *Nov. 6*, 315.
Telephone Service Charges, System of Entering and of Rendering Accounts, *Nov. 7*, 548.
Wireless Telegraphy Conference at Berlin—British Delegates, Instructions to, *Nov. 5*, 99.
Convention, Opportunity for Discussing, *Nov. 5*, 132.

Byles, Mr. W. P. [Salford, N.]
- County Courts, Small Debt Cases in—Prevention of Committals to Prison, proposed, *Nov. 14*, 1497.
- Crimean War Fund, Unexpended Balance of, *Nov. 5*, 139, 140.
- Debt, Imprisonment for—Amendment of Law, proposed, *Nov. 7*, 555.
- Federated Malay States, Gambling Licences in, *Nov. 14*, 1491.
- Land Tenure Bill, *Con.*, *Nov. 14*, 1604.
- Natal—Tilonko, Right of, to Appeal against Decision of Court Martial, *Nov. 8*, 739.
- Parliamentary Debates—Inquiry into Method and Scope of Reports, proposed, *Nov. 5*, 123.
- Transvaal British Indians, *status of*, *Nov. 14*, 1485.

Cabs and Omnibuses (Metropolis)
- Select Committee Report, Proposals for Adopting.
  - *Os.* Mr. H. H. Marks, Mr. Norman; *As.* Mr. Gladstone, *Nov. 5*, 124, 125.
  - *Qs.* Mr. Thorne; *As.* Mr. Gladstone, *Nov. 6*, 331.

Cadogan, Earl
- Education (England and Wales) Bill, *Com.*, *Nov. 6*, 288, 296–298, 304; *Nov. 7*, 456.

Campbell-Bannerman, Rt. Hon. Sir H.—*First Lord of the Treasury* [Stirling Burghs]
- Acts of Parliament and Legislation by Reference—Printing Sections as Footnotes, proposed, *Nov. 13*, 1310.
- Bills not completed in one Session—Taking up at same Stage in subsequent Session, proposed, *Nov. 12*, 1064.
- Business of the House
  - Adjournment, Motion for—Effect of Postponement, etc., *Nov. 14*, 1518.
  - Course of, *Nov. 5*, 140-142; *Nov. 7*, 571; *Nov. 13*, 1311, 1312.
- Butter—Proposals for Introduction of Legislation to prevent Fraud, *Nov. 12*, 1065.
- Crimean War Fund, Unexpended Balance of, *Nov. 5*, 139, 140.
- Dogger Bank Fishing Vessels, Outrage on, by Russian Fleet—Cost and Result of Inquiry, *Nov. 12*, 1066.
- Education (Provision of Meals) Bill, Proposals as to, *Nov. 5*, 139.
- Election Petition Acts, Proposals for Amendment of, *Nov. 12*, 1066.
- Grand Committee, Scottish, Proposals for setting up, *Nov. 5*, 138.
- Harris Tweed Merchants, Combination of, to raise Prices—Ensuring Share of Increase to Weavers, proposed, *Nov. 5*, 138.

Campbell-Bannerman, Rt. Hon. Sir H.—*cont.*
- House of Commons, Construction, Changes in—Opportunity for Discussion, *Nov. 6*, 349, 350.
- Irish Policy of the Government as to Legislation next Session, *Nov. 8*, 760, 761; *Nov. 12*, 1029.
- Land Purchase Prices—Amendment of Act to Prevent Payment of Excessive Prices proposed, *Nov. 7*, 569.
- Land Tenure Bill, *Con.*, *Nov. 6*, 357–359, 369, 384; *Nov. 7*, 608, 610; *Nov. 12*, 1260, 1262, 1263; *Nov. 13*, 1380.
  - Proposals as to, *Nov. 5*, 140–142.
- Local Authorities (Qualifications of Women) Bill, Proposals as to, *Nov. 14*, 1517.
- Magistrates—Appointment, Procedure for, *Nov. 6*, 349.
- Members of Parliament, Payment of—Provision of Funds by Cutting Down Ministerial Salaries, proposed, *Nov. 14*, 1516.
- Navy
  - Redistribution Scheme—Effect on Fighting Efficiency of the Fleet-*Nov. 5*, 106.
  - Standard of Strength, *Nov. 12*, 1067.
- Newfoundland Fisheries—*Modus Vivendi* with United States.
  - Correspondence, Date of Tabling, *Nov. 5*, 139.
  - Validity of Bait Act, Decision of Colonial Government as to Testing, *Nov. 5*, 139.
- Parliamentary Procedure
  - Meeting of Parliament, Alteration in Date for, proposed, *Nov. 12*, 1065.
  - Resolutions, Proposals for Discussing, *Nov. 14*, 1518.
- Public Accounts Committee Reports, Opportunity for discussing, *Nov. 14*, 1516.
- Sailors and Soldiers, Civil Employment for, on Discharge, *Nov. 6*, 349.
- St. Helena—Grant in Aid of, proposed, *Nov. 6*, 350.
- Strangers, Espial of—Procedure under Standing Order 91, *Nov. 6*, 352.
- Trade Disputes Bill, Date of Tabling, *Nov. 7*, 571.
- Transvaal
  - Chinese Labour
    - Immorality, Charges of—Proposals as to Tabling Report, etc., *Nov. 7*, 538, 539.
    - Vested Interests, Purchase of, by Government, proposed, *Nov. 8*, 726.
  - Elections—Letter Written by Lord Selborne to Sir P. Fitzpatrick, *Nov. 12*, 1052, 1053.

[*cont.*

Campbell-Bannerman, Rt. Hon. Sir H.—*cont.*
  Transvaal—*cont.*
    Self-Government
      Franchise Rights of Aliens, *Nov. 14*, 1482.
      Letters Patent, Date of Issuing, *Nov. 12*, 1068.
  Vaccination—Right of Civil Servants to Claim Exemption, *Nov. 14*, 1517.
  Women's Enfranchisement Bill, *intro.*, *Nov. 7*, 572.
    Starring of, proposed, *Nov. 14*, 1517.
  Workmen's Compensation Bill—Date of taking Report Stage, *Nov. 12*, 1067.

Camperdown, Earl of
  Education (England and Wales) Bill, *Com.*, *Nov. 5*, 21, 22, 27, 34, 70; *Nov. 6*, 256, 274, 277; *Nov. 7*, 462, 502; *Nov. 8*, 666, 667, 668; *Nov. 12*, 947, 958; *Nov. 14*, 1431–1438, 1444, 1446, 1447.
  Peers Sitting and Voting without having previously taken the Oath—Question of Privilege.
    Erasure of Names from Division Lists proposed, *Nov. 5*, 6, 7.
    Penalties for, Question as to Enforcing, *Nov. 5*, 6–8.

Canada
  Railway work, Conditions of Engaging Lewis men for.
    Q. Mr. Morton; *A.* Mr. Churchill, *Nov. 12*, 1043.

Canals, Ireland
  Administration of, proposals for Improving.
    Q. Mr. V. Kennedy; *A.* Mr. Bryce, *Nov, 14*, 1513.

Canterbury, Archbishop of
  Education (England and Wales) Bill, *Com.*, *Nov. 5*, 19, 20, 24, 34, 79; *Nov. 6*, 304; *Nov. 7*, 458, 459, 464, 472, 479, 513, 514; *Nov. 8*, 664, 669, 676, 683; *Nov. 12*, 954, 958–964; *Nov. 14*, 1412, 1447–1453, 1455, 1457.
    Letter to Canon Holland, Terms of, *Nov. 5*, 79–81.
  Transvaal Chinese Labourers, Charges of Immorality against, *Nov. 12*, 921.

Cape Colony
  Ferreira Raid, Information as to
    Q. Mr. A. J. Balfour; *A.* Mr. Churchill, *Nov. 12*, 1053.

Cape Wrath
  Illegal Trawling Cases—Regulations as to Evidence of Lighthouse-keepers.
    Qs. Mr. Morton; *As.* Mr. Sinclair, *Nov. 6*, 340.

Cardiff
  Customs Officer, P. McKeon, Provision for Widow of.
    Q. Mr. J. O'Kelly; *A.* Mr. McKenna, *Nov. 14*, 1474.

Carlile, Mr. E. H. [Herts, St. Albans]
  Land Tenure Bill, *Con.*, *Nov. 7*, 594, 595; *Nov. 12*, 1108, 1218–1220, 1233, 1234; *Nov. 14*, 1561.

Carson, Rt. Hon. Sir E. H. [Dublin University]
  Land Tenure Bill, *Con.*, *Nov. 6*, 395; *Nov. 7*, 647; *Nov. 14*, 1530, 1531, 1569–1571, 1575, 1578.
  Trade Disputes Bill, *Con.*, *Nov. 5*, 186–188.

Carstairs Junction
  Postman, Risk run by, in Crossing Metals in order to place Mails in Guard's Van.
    Q. Mr. J. O'Connor; *A.* Mr. Buxton, *Nov. 5*, 99, 100.

Castlereagh, Lord [Maidstone]
  Land Tenure Bill, *Con.*, *Nov. 6*, 378–380; *Nov. 8*, 774; *Nov. 12*, 1215.
  Trade Disputes Bill, *Con.*, *Nov. 5*, 156.

Causton, Rt. Hon. R. K.—*Paymaster-General* [Southwark, W.]
  Soldiers Incurably Disabled, Maintenance of—Reason for Discharge of Invalids from Netley, *Nov. 8*, 844.

Cavan
  Evicted Tenants, Inquiries into Cases of.
    Q. Mr. V. Kennedy; *A.* Mr. Bryce, *Nov. 8*, 753, 754.

Cavan & Leitrim Railway
  Flag Stations, Proposals as to Closing.
    Q. Mr. T. F. Smith; *A.* Mr. Kearley, *Nov. 13*, 1310.

Cave, Mr. G. [Surrey, Kingston]
  Land Tenure Bill, *Con.*, *Nov. 6*, 398, 412; *Nov. 7*, 589–591, 615, 645; *Nov. 13*, 1360; *Nov. 14*, 1558.

Cavendish, Rt. Hon. V. C. W. [Derbyshire, W.]
  Land Tenure Bill, *Con.*, *Nov. 12*, 1150.

Cawdor, Earl of
  Education (England and Wales) Bill, *Com.*. *Nov. 6*, 244–247, 251, 252, 257, 259, 288–292; *Nov. 8*, 683, 685; *Nov, 12*, 964–966, 984, 993, 995.
  Portsmouth Naval Barracks, Inquiry into Disturbances at, *Nov. 8*, 653.

Cawley, Mr. F. [Lancs., Prestwich]
  Land Tenure Bill, *Con.*, *Nov. 7*, 638.

Cecil, Lord R. [Marylebone, E.]
- Land Tenure Bill, *Con., Nov. 6,* 432; *Nov. 7,* 579, 616, 635; *Nov. 12,* 1105, 1109, 1117, 1174–1176, 1264; *Nov. 14,* 1557.
- Soldiers Incurably Disabled, Maintenance of—Reason for Discharge of Bedridden Soldiers from Netley, etc., *Nov. 5,* 108–110; *Nov. 8,* 820, 825.
- Trade Disputes Bill, *Con., Nov. 5,* 151, 209, 215, 216, 233, 234, 235; 3R., *Nov. 9,* 856–861.

Cecil, Mr. E. [Aston Manor]
- Merchant Shipping Bill, Proposals as to *Nov. 5,* 142.

Cemeteries
- Houses Erected on Borders of—Effect of Decision in Case of Godden *v.* Hythe Burial Board.
  - *Q.* Mr. H. H. Marks; *A.* Mr. Burns, *Nov. 12,* 1000, 1001.

Census of Production Bill
- *c. Rep.* Nov. 8,* 761.

Ceylon
- Mineral Survey (1904–5) Report Presented *Nov. 6,* 240, 310.
- Pearl Fisheries Company, Dividend paid by.
  - *Q.* Sir J. Jardine; *A.* Mr. Churchill, *Nov. 14,* 1491, 1492.

Chairman and Deputy Chairman
- Irrevelant Observations, *Nov. 8,* 819, 829, 831, 835.
- Land Tenure Bill—Introduction of Irrelevant Matter, *Nov. 6,* 422.

Chairman, House of Lords
- Education (England and Wales) Bill.
  - Amendments, Procedure in Discussing, *Nov. 6,* 248, 282, 287.
  - Cadogan's, Earl of, Amendment, Division on, 457.
  - No Amendment being before the House, a general Discussion was in Order, *Nov. 5,* 34.

Chamberlain, Rt. Hon. J. A. [Worcestershire, E.]
- Hollesley Bay Labourers Voting at London Municipal Elections, *Nov.* 13, 1296.
- Land Tenure Bill, *Con., Nov. 7,* 585, 589, 609, 610, 617; *Nov. 12,* 1110, 1115, 1116, 1119, 1159–1163, 1189, 1216, 1234, 1235, 1248, 1249, 1250; *Nov. 14,* 1527, 1531, 1603.
- Naval Shipbuilding Programme, Condition determining, *Nov. 13,* 1282.

Chancellor of the Duchy of Lancaster
- *Rt. Hon. Sir H. Fowler.*

Chancellor of the Exchequer
- *Rt. Hon. H. H. Asquith.*

Channel Islands
- Merchant Shipping Laws, Application to.
  - *Q.* Sir W. J. Collins; *A.* Mr. Gladstone, *Nov. 12,* 1058.

Channing, Mr. F. A. [Northants, E.]
- Land Tenure Bill, *Con., Nov. 6,* 362, 363.
- Motors, Accidents to and caused by, in Metropolis, *Nov. 5,* 84.

Cheltenham Ladies' College
- Admission of Elementary School Pupil Teacher from Leeds City Council School—Reason for Refusal, etc.
  - *Q.* Mr. O'Grady; *A.* Mr. Birrell, *Nov. 8,* 748, 749.

Cherry, Rt. Hon. R. R.—*Attorney-General for Ireland* [Liverpool, Exchange]
- Crown Prosecutions—Practice as to Right of Reply, *Nov. 13,* 1301.
- Magistrates, Fees on Appointment of, *Nov. 13,* 1302.
- Malone Estate Grazing Land, Disposal of, *Nov. 13,* 1302.

Chester, Bishop of
- Education (England and Wales) Bill, *Com., Nov. 8,* 700–702.

Chief Secretary for Ireland
- *Rt. Hon. J. Bryce.*

Children
- Insurance of—Proposals for Prevention of Abuses.
  - *Q.* Mr. L. Jones; *A.* Mr. Gladstone, *Nov. 8,* 746, 747.
- Street Trading, Regulations as to.
  - *Qs.* Mr. Wedgwood; *As.* Mr. Gladstone, *Nov. 12,* 1059, 1060.

China
- Board of Communications, Functions of.
  - *Q.* Mr. Lonsdale; *A.* Mr. Runciman, *Nov. 12,* 1055, 1056.
- Canton Delta, Increase of Piracy in—Proposals for dealing with Matter.
  - *Q.* Mr. Bellairs; *A.* Sir E. Grey, *Nov. 5,* 95.
- Yatung Customs Commissioner—Reason for non-appointment of Englishman.
  - *Q.* Mr. Lonsdale; *A.* Mr. Runciman, *Nov. 12,* 1056.

Chiozza Money, Mr. L. G. [Paddington, N.]
- Cotton, Sewing—Allegations as to Combination of Companies, etc., *Nov. 7,* 547.
- Indian Civil Service—Place of Examination of Indian Candidates, *Nov. 8,* 723.
- National Gallery, Sale of Photographs in, *Nov. 13,* 1294.
- Soap Trust, Dangers of and Proposals for Protection of the Public, *Nov. 12,* 1002.

[*cont.*

Chiozza Money, Mr. L. G.—*cont.*
- Transvaal—Chinese Labour, Immorality, Charges of, *Nov. 14*, 1486.
- Woolwich Arsenal
  - Discharges, Decision as to, etc., *Nov. 6*, 321.
  - Utilisation of Plant on other Work during Slack Times, proposed, *Nov. 13*, 1285.

Churchill, Mr. W. L. S.—*Under-Secretary for the Colonies* [Manchester, N.W.]
- Africa, Central—British Protectorate
  - Chinde Foreshore, Proposals as to, *Nov. 12*, 1041.
  - Labour recruiting for Transvaal Mines, *Nov. 14*, 1488, 1489.
  - Legislative Council, Progress made with Scheme for, *Nov. 5*, 112.
- Africa, Portuguese East, Labour recruiting in, *Nov. 12*, 1048, 1049.
- Africa, West—Forced Labour, Conditions of employing, *Nov. 5*, 117, 118, 119.
- Australian Commerce (Trade Descriptions) Act, 1905—Effect on British Trade, etc., *Nov. 8*, 721.
- Canadian, Railway Work, Condition of engaging Lewis men for, *Nov. 12*, 1043.
- Cape Colony—Information as to Ferreira Raid, *Nov. 12*, 1053.
- Ceylon Pearl Fisheries Company, Dividend paid by, *Nov. 14*, 1492.
- Guiana, British—Government Stores, System for supplying, *Nov. 5*, 113.
- Lagos Town Improvement Scheme—Reply to Petition from Hausa Population, *Nov. 6*, 311.
- Natal Court Martial, Right of Tilonko to Appeal against Decision of, *Nov. 8*, 740.
- Newfoundland Fisheries—*Modus vivendi* with United States
  - "Brilliante"—Allegations as to Statement by Captain, *Nov. 12*, 1050.
  - Duration of Agreement, Reason for Course of Action taken, etc., *Nov. 5*, 115, 116; *Nov. 7*, 537.
  - Imperial Government Power to override Provisions of a Newfoundland Act, *Nov. 8*, 738.
- New Hebrides Convention
  - Australian and New Zealand Interests, Representation of—Proposals as to laying Papers, etc., *Nov. 13*, 1287, 1288.
  - New Officials under, Consultation of Commonwealth in appointing, *Nov. 14*, 1491.
- Nigeria
  - Civil Servants, Allowances to, *Nov. 12*, 1047, 1048.
  - Cost of living in, etc., *Nov. 12*, 1046, 1047.

Churchill, Mr. W. L. S.—*cont.*
- Nigeria—*cont.*
  - House Accommodation for Officers, *Nov. 12*, 1048.
  - Political and Constabulary Departments—Regulations as to leave, etc., *Nov. 7*, 537.
  - Railway Development, Decision as to, *Nov. 12*, 1018.
  - Read, Mr. Crewe, Cause for Attack on, *Nov. 5*, 119.
- St. Helena, Grant in Aid for, proposed, *Nov. 7*, 536.
- Straits Settlements
  - Currency, Changes in, *Nov. 7*, 539; *Nov. 12*, 1044.
    - Salaries, Effect on, *Nov. 14*, 1470.
  - Federated Malay States
    - Gambling Licences in, *Nov. 5*, 114; *Nov. 12*, 1053; *Nov. 14*, 1491.
  - Opium Consumption—Date of Presenting Return, *Nov. 13*, 1275.
- Transvaal
  - British Indians, *Status* of, *Nov. 14*, 1484, 1485.
  - Chinese Labour
    - Complaints, Procedure in making, by Coolies, *Nov. 5*, 119; *Nov. 12*, 1042; *Nov. 14*, 1490.
    - Desertions (August to October), *Nov. 13*, 1288.
    - Immorality, Charges of — Proposals as to Tabling Report, etc., *Nov. 7*, 538; *Nov. 14*, 1485–1488.
    - Number employed in Nov. 1905, and 1906, *Nov. 14*, 1489.
    - Opium, Regulations as to, *Nov. 12*, 1045.
    - Repatriations effected in September and October, *Nov. 13*, 1287.
  - Elections—Letter written by Lord Selborne to Sir P. Fitzpatrick, *Nov. 12*, 1051, 1052.
  - Government Mining Department Returns, Public Right to Inspect, *Nov. 12*, 1000.
  - Johannesburg
    - Men willing to Work for 5s. a Day, *Nov. 12*, 1042.
    - Statistics as to White Labour, *Nov. 7*, 535.
  - Mines—Labour Statistics, *Nov. 5*, 113, 114; *Nov. 7*, 535.
  - White Labour
    - Effect of Employment of Chinese, *Nov. 8*, 739.
    - Wages, Statistics as to, *Nov. 12*, 1042.

Churchill, Mr. W. L. S.—*cont.*

Trinidad Indentured Labour, Regulations as to, *Nov. 6*, 325.

West Indies, Agriculture Department, Decision as to, *Nov. 12*, 1050.

Civil Service

Assistant Clerks performing Duties of Second Division Clerks, Allowances to.
Q. Mr. Alden; *A.* Mr. McKenna, *Nov. 14*, 1458.

Parliamentary Candidature

Resignation of Office, Regulations as to.
Q. Mr. W. T. Wilson; *A.* Mr. McKenna, *Nov. 7*, 534.

Retired Civil Servants, Eligibility of.
Q. Mr. W. T. Wilson; *A.* Mr. Runciman, *Nov. 13*, 1277.

Superannuation

Appointment without Certificate, *Nov. 5*, 4, 82; *Nov. 9*, 853; *Nov. 12*, 918.

Retiring Allowances granted, *Nov. 12*, 918, 999.

Clare

Land Commission Cases awaiting Decision.
Q. Mr. W. Redmond; *A.* Mr. Bryce, *Nov. 7*, 564.

Railways—Burden imposed on Ratepayers, etc.
Q. Mr. W. Redmond; *A.* Mr. Bryce, *Nov. 6*, 340.

Claremorris

District Council Clerkships—Qualifications of Candidates, etc.
Q. Mr. Barrie; *A.* Mr. Bryce, *Nov. 6*, 641.

Cleland, Mr. J. W. [Glasgow, Bridgeton]

House-letting in Scotland, Inquiry into system of, proposed, *Nov. 5*, 138.

Clifford of Chudleigh, Lord

Education (England and Wales) Bill, *Com.*, *Nov. 7*, 444, 456, 474, 477, 479–482, 484, 515; *Nov. 8*, 661, 665, 666, 670, 680, 688, 692; *Nov. 12*, 924, 925; *Nov. 14*, 1433.

Peers Sitting and Voting without having previously taken the Oath—Erasure of Names from Division Lists, proposed, *Nov. 5*, 8.

Clough, Mr. W. [Yorks., W.R., Skipton]

Religious Instruction—Obligation of Local Authority to Provide Bibles, etc., *Nov. 8*, 749.

Clydebank and District Water and Burgh Extension Order Confirmation Bill

c. 2R.* *Nov. 5*, 82.
*Con.** *Nov. 7*, 516.
3R.* *Nov. 9*, 853.
l. 1R. and 2R.* *Nov. 12*, 917.

Coal

Export, Statistics as to Amount Exported, and Duty Collected—Return ordered, *Nov. 5*, 83.

Coalisland

Orange Disturbances—Police Efforts to Preserve the Peace, etc.
Qs. Mr. Mooney, Mr. T. L. Corbett; *As.* Mr. Bryce, *Nov. 14*, 1508–1511.

Cochrane, Mr. T. H. [Ayrshire, N.]

Land Tenure Bill, *Con.*, *Nov. 6*, 396, 411, 412, 428, 429, 434; *Nov. 7*, 603, 606, 624–626, 640; *Nov. 8*, 771, 779, 815, 816; *Nov. 12*, 1224–1228, 1241, 1255; *Nov. 14*, 1521, 1522, 1537, 1551, 1552, 1556, 1562.

Cocking

Registered Letter, Authority for Redirection of.
Q. Viscount Turnour; *A.* Mr. Buxton, *Nov. 6*, 332.

Cocoa

Imports into Great Britain during past Ten Years.
Q. Mr. Mitchell-Thomson; *A.* Mr. Lloyd George, *Nov. 12*, 1022.

Coinage and Currency

Gold Reserve

Banks, Publication of Monthly Balance-sheet by, proposed.
Q. Mr. Straus; *A.* Mr. Asquith, *Nov. 13*, 1290.

Proposals for Forming.
Q. Mr. T. H. Davies; *A.* Mr. Asquith, *Nov. 5*, 121.

Collings, Rt. Hon. J. [Birmingham, Bordesley]

Land Tenure Bill, *Con.*, *Nov. 6*, 380, 381; *Nov. 12*, 1258, 1259.

Collins, Sir W. J. [St. Pancras, W.]

Channel Islands, Application of Merchant Shipping Laws to, *Nov. 12*, 1058.

Vaccination Acts Administration, Proposals for Improving, *Nov. 12*, 1062.

Colombia

Parcels Post, Arrangements as to.
Q. Mr. Agnew; *A.* Mr. Buxton, *Nov. 7*, 549.

Colonial Office

Secretary of State—Right Hon. Earl of Elgin.
Parliamentary Secretary, Mr. W. Churchill.

Colonies and Protectorates

See also Names of Colonies, etc.

Import Duties—Return Presented, *Nov. 53.*

Railways owned by the Government, Cost of, Financial Results, etc.—Return ordered, *Nov. 13*, 1265.

[*cont.*

Colonies and Protectorates—*cont.*
Reports
Annual Series Presented, *Nov. 5*, 82.
Miscellaneous Series Presented, *Nov. 6*, 240, 310.
Statistical Abstract (1891–1905) Presented, *Nov. 14*, 1381, 1457.

Commercial Travellers
Regulations—Memorandum Presented, *Nov. 7*, 437, 517.

Committees
Scottish Grand Committee, Proposals as to setting up.
Q. Mr. Crombie; *A.* Sir H. Campbell-Bannerman, *Nov. 5*, 138.

Congested Districts Board (Scotland)
Crofter Settlement Scheme—Officers carrying out Instructions of Board.
Qs. Mr. Weir; *As.* Mr. Sinclair, *Nov. 7*, 556.

Congo Free State
American Syndicate, Rumoured Concession of Land to.
Q. Mr. Alden; *A.* Sir E. Grey, *Nov. 6*, 327.
Belgian Inquiry, Publication of Report of, proposed.
Qs. Mr. Higham; *As.* Mr. Runciman, *Nov. 12*, 1055.
Reports of Consuls Mackie and Nightingale, Publication of.
Q. Mr. Higham; *A.* Sir E. Grey, *Nov. 13*, 1289.
British Consular Representation in.
Q. Mr. Alden; *A.* Sir E. Grey, *Nov. 6*, 327.
Lopori-Marringa Territory, Position in.
Q. Mr. Higham; *A.* Sir E. Grey, *Nov. 13*, 1288.
Reform Proposals
Q. Mr. Fullerton; *A.* Mr. Runciman, *Nov. 5*, 119.
Stannard, Rev. E., Case of.
Q. Mr. Alden; *A.* Sir E. Grey, *Nov. 13*, 1289, 1290.

Constabulary, Royal Irish
See also Names of Places.
Scott, Constable, Reason for Promotion of.
Qs. Mr. Ginnell; *As.* Mr. Bryce, *Nov. 14*, 1506, 1507.

Cooper, Dr. G. [Southwark, Bermondsey]
Perkins, Mrs. E., Case of, *Nov. 7*, 540, 542.
Punishment Book, Regulations as to keeping in Schools, *Nov. 7*, 552.
Stepney Workhouse, Regulations as to Admission to—Case of Lily Hobson, *Nov. 7*, 546.

Cooper Estate
McGrath, J. and T. Barry, Case of.
Q. Mr. Lundon; *A.* Mr. Bryce, *Nov. 6*, 343, 344.

Cooscroum
Marine Works, Decision as to.
Q. Mr. Boland; *A.* Mr. Bryce, *Nov. 13*, 1303.

Coote Estate
Untenanted Land, Purchase of, proposed.
Q. Mr. Lundon; *A.* Mr. Bryce, *Nov. 6*, 342, 343.

Corbett, Mr. T. L. [Down, N.]
Coalisland Disturbances—Police Efforts to keep the Peace, etc., *Nov. 14*, 1509–1511.
Galway Election Disturbance—Conduct of Police, etc., *Nov. 7*, 568.
Hollesley Bay Labourers Voting at London Municipal Elections, *Nov. 13*, 1295.
Land Tenure Bill, *Con.*, *Nov. 12*, 1212.
Local Government Board New Offices, Grant Required for, *Nov. 13*, 1293.
Loughrea Petty Sessions—Remarks of Mr. P. J. Kelly, *Nov. 14*, 1511.
Soldiers, Incurably disabled, Maintenance of—Reason for Discharge of Invalids from Netley, etc., *Nov. 5*, 110; *Nov. 8*, 737, 738, 761, 817, 840.
Trade Disputes Bill, *Con.*, *Nov. 5*, 234.

Coroners' Inquests
Child run over by Motor, Coroner's Remarks at Inquest on—Inquiry proposed.
Qs. Mr. J. C. Wason; *As.* Mr. Gladstone, *Nov. 5*, 125.

Corrupt Practices Act
General Election of 1906, Information as to Proceedings taken in connection with.
Q. Mr. C. Hay; *A.* Sir J. Walton, *Nov. 8*, 752.
Section 2, Revision of, proposed.
Q. Mr. Stranger; *A.* Sir J. Walton, *Nov. 6*, 336, 337.

Cotton
Sewing Cotton—Allegations as to Combination of Companies, etc.
Q. Mr. Chiozza Money; *A.* Mr. Kearley, *Nov. 7*, 547.

Cotton Growing
Correspondence between India Office, Government of India and British Cotton Growing Association—Return Presented, *Nov. 5*, 83.

Cotton, Sir H. J. S. [Nottingham, E.]

Indian Army Redistribution Scheme—Decision as to Torseppah, Nowshera and Hoti Murdan, *Nov. 5*, 89, 112.

Persia—Basis of Anglo-Russian Negotiation, *Nov. 6*, 325.

Transvaal and British Indians, *Status* of, etc., *Nov. 14*, 1484, 1485.

County Courts

Small Debt Cases—Prevention of Committals to Prison, proposed.
Q. Mr. Byles; *A.* Sir J. Walton, *Nov. 14*, 1497, 1498.

Courthope, Mr. G. L. [Sussex, Rye]

Duke of York's School Site, Proposals as to, *Nov. 7*, 531.

Land Tenure Bill, *Con.*, *Nov. 7*, 586–588, 627, 628, 646; *Nov. 8*, 766; *Nov. 12*, 1077, 1100, 1123, 1124, 1190, 1199; *Nov. 13*, 1358; *Nov. 14*, 1541, 1576.

Religious Instruction—Cost of West Riding Appeal Case, *Nov. 7*, 555.

Telephone Service Charges, System of Entering and of Rendering Accounts, *Nov. 7*, 548.

Wadhurst—Reconsideration of Stevens Case, *Nov. 14*, 1464.

Courtney, Lord

Africa, South—Land Settlement Question, *Nov. 14*, 1403–1408.

Education (England and Wales) Bill, *Com.*, *Nov. 8*, 674.

Courtown Harbour

Silting of—Proposals for Dredging, etc.
Q. Sir T. Esmonde; *A.* Mr. Bryce, *Nov. 8*, 759, 760.

Cowan, Mr. W. H. [Surrey, Guildford]

Naval Shipbuilding, etc., Votes in 1901–2 and Present Year for Great Britain, France and Germany, *Nov. 13*, 1266.

Passive Resisters—Treatment as First-class Misdemeanants in Gaol, proposed, *Nov. 7*, 543.

Witley Common, proposals for Inclosing Portion of, *Nov. 5*, 101.

Cox, Mr. H. [Preston]

Africa, British Central—Labour Recruiting for Transvaal Mines, *Nov. 14*, 1488, 1489.

Education of Children under Five Years—Proportion of Grant Paid in Respect of, *Nov. 14*, 1497.

Education (Provision of Meals) Bill—Payment for Meals, Provisions for Demanding, *Nov. 7*, 552.

Imperial Institute, Subscribers, Consultation of, as to devotion of portion of Building to Purposes of London University, *Nov. 7*, 521; *Nov. 14*, 1476.

Cox, Mr. H.—*cont.*

Land Tenure Bill, *Con.*, *Nov. 7*, 575.

Local Authorities (Qualifications of Women) Bill, Proposals as to, *Nov. 14*, 1517.

Craig, Capt. J. [Down, E.]

Land Commission, Powers as to Mortgages, under Act of 1903, *Nov. 7*, 531.

Land Tenure Bill, *Con.*, *Nov. 6*, 395, 413, 421–423; *Nov. 7*, 576, 639; *Nov. 8*, 761; *Nov. 12*, 1196–1198, 1238.

Munster-Connaught Exhibition, Exclusion of British Flag from, etc., *Nov. 5*, 91.

Nigeria Political and Constabulary Departments—Regulations as to Leave, etc., *Nov. 7*, 537.

Craig, Mr. C. C. [Antrim, S.]

Ahascragh—Malicious Injury to J. Fallon's Bullock, *Nov. 14*, 1515.

Bann and Lough Neagh, Drainage Proposals for, *Nov. 7*, 566.

Gurteeny—Outrage at House of M. Tuohy, *Nov. 14*, 1514.

Killarney Quarter Sessions—Claims for Malicious Injury, *Nov. 7*, 568.

Land Tenure Bill, *Con.*, *Nov. 7*, 638; *Nov. 8*, 764.

Neagh, Lough, Fisheries—Revision of Present System of Control, proposed, *Nov. 7*, 566.

Strangers, Espial of, Procedure as to Withdrawal, etc., *Nov. 6*, 351.

Trade Disputes Bill, *Con.*, *Nov. 5*, 236; 3R., *Nov. 9*, 861–866, 874.

Craig, Mr. H. J. [Tynemouth]

Long Vacation, Alteration in Date for, proposed, *Nov. 5*, 133.

Trade, Board of—Conditions of Employment of Tapeholders, *Nov. 14*, 1493.

Cremer, Mr. W. R. [Shoreditch, Haggerston]

Dogger Bank Fishing Vessels, Outrage on, by Russian Fleet—Cost and Result of Inquiry, *Nov. 12*, 1066.

Crewe, Earl of—*Lord President of the Council*

Education (England and Wales) Bill, *Com.*, *Nov. 5*, 13, 14–16, 20, 21, 22, 23, 25, 26, 28, 31–33, 35, 46–50, 53, 54, 56, 65, 70–75, 77, 81; *Nov. 6*, 242, 243, 247–252, 257, 258, 259, 260, 264–267, 274, 281, 284, 289–292, 296, 299–303, 307; *Nov. 7*, 445–449, 453, 456, 458, 459, 460, 461, 462, 463, 469, 470, 471, 472, 474, 475, 477, 478, 479, 483, 484, 486, 487, 488, 499, 500, 505, 506, 510–513, 515, 516; *Nov. 8*, 656, 657, 659, 660, 661, 662, 664, 665, 667, 668, 669, 670, 671, 678–680, 681, 682, 684, 686, 688, 705–713; *Nov. 12*, 923, 932–934, 946, 947, 953–958, 964, 965, 982–987; *Nov. 14*, 1414, 1415, 1417, 1418, 1419, 1420, 1421, 1425, 1426, 1427, 1429, 1433–1438, 1444–1446, 1453 1454, 1456.

[*cont.*

Crewe, Earl of—*cont.*
  Education (England and Wales) Bill, —*cont.*
    Letter from Archbishop of Canterbury to Canon Holland, Terms of, *Nov. 5*, 81.
  Voluntary Schools—Premises subject to Charitable Trusts transferred to Local Authorities since 1902, *Nov. 12*, 920.

Crimean War
  Fund, Unexpended Balance of.
    Qs. Mr. Byles; *As.* Sir H. Campbell-Bannerman, *Nov. 5*, 139, 140.
  Pensions of Veterans
    Q. Sir G. Doughty; *A.* Mr. Haldane, *Nov. 8*, 736.

Crofton Estate
  Reinstatement Claims of T. Travers and E. M'Loughlin.
    Q. Mr. T. Smyth; *A.* Mr. Bryce, *Nov. 12*, 1008.

Croker Estate
  Reinstatement Claim of M. Power.
    Q. Mr. Lundon; *A.* Mr. Bryce, *Nov. 7*, 563.

Crombie, Mr. J. W. [Kincardineshire]
  Grand Committee, Scottish, Proposals for Setting up, *Nov. 5*, 138.

Crooks, Mr. W. [Woolwich]
  Soldiers, Bed-ridden, Discharged from Netley—Proposals for Maintenance, *Nov. 5*, 109.
  Woolwich Arsenal
    Information as to Number of Men Employed, Wages, Plant, etc., *Nov. 12*, 1014.
    Private Contractors, Information supplied to, *Nov. 8*, 736.

Cross, Mr. A. [Glasgow, Camlachie]
  Land Tenure Bill, *Con.*, *Nov. 7*, 615, 640; *Nov. 8*, 767; *Nov. 12*, 1078.
  Education (England and Wales) Bill, *Com.*, *Nov. 8*, 691.

Crown Lands
  Agency, Reason for Change in.
    Qs. Mr. Harmood-Banner; *As.* Sir E. Strachey, *Nov. 8*, 751.
  Notices to Quit, Reason for and Proposal for utilising Land, etc.
    Q. Mr. Harmood-Banner; *A.* Sir E. Strachey, *Nov. 8*, 750.
  Tenants, Compensation to, on Termination of Tenancy.
    Q. Mr. Harwood-Banner; *A.* Sir E. Strachey, *Nov. 13*, 1293.

Crown Prosecutions
  Ireland—Practice as to right of Reply.
    Q. Mr. MacNeill; *A.* Mr. Cherry, *Nov. 13*, 1301.

Customs and Excise
  Launches, Crews of—Hours of Labour, Payment for Sunday Work, etc.
    Q. Mr. Steadman; *A.* Mr. McKenna, *Nov. 6*, 313.
  Statistical Branch—Reply to Petition of Clerks.
    Q. Mr. Waterlow; *A.* Mr. Runciman, *Nov. 13*, 1276, 1277.

Dalmeny, Lord [Edinburgh, Midlothian]
  Edinburgh Tramway Bill, Cause of Delay in Introducing, *Nov. 12*, 1021.
  Land Tenure Bill, *Con.*, *Nov. 7*, 591.

Dalziel, Mr. J. H. [Kirkcaldy, Burghs]
  Africa, Portuguese East, Labour recruiting in, *Nov. 12*, 1049.
  Business of the House—Effect of Postponement of Motion for Adjournment, *Nov. 14*, 1518.
  Land Tenure Bill, *Con.*, *Nov. 12*, 1167, 1168, 1212, *Nov. 14*, 1615.
  Portsmouth Barracks—Inquiry into cause of Disturbance among Stokers, *Nov. 8*, 728; *Nov. 12*, 1033; *Nov. 13*, 1284; *Nov. 14*, 1483, 1484.
  Transvaal.
    Chinese Labourers.
      Immorality, Charges of—Proposals as to Tabling Report, etc., *Nov. 7*, 539; *Nov. 14*, 1485, 1486
      Number Employed in, Nov. 1905 and 1906, *Nov. 14*, 1489.
    Elections—Letter written by Lord Selborne to Sir P. Fitzpatrick, *Nov. 12*, 1051, 1052.
    Self Government—Letters Patent, Date of Issuing, *Nov. 12*, 1068.
  War Office Contracts, Allocation of, *Nov. 8*, 736.
  Woolwich Arsenal Discharges—Proposals for assisting Men, etc., *Nov. 12*, 1040.

Davey, Lord
  Education (England and Wales) Bill, *Com.*, *Nov. 5*, 50; *Nov. 8*, 659.

Davies, Mr. E. W. [Carnarvon, Eifion]
  Land Tenure Bill, *Con.*, *Nov. 14*, 1544.
  Quarries, Accidents in and Proposals for Prevention, *Nov. 8*, 747.

Davies, Mr. T. H. [Hackney, N.]
  Artillery, Royal Field—Reduction proposals for 40th Brigade, *Nov. 8*, 724.
  Gold Reserve, Proposals for forming, *Nov. 5*, 121.
  India—Separation of Judicial and Executive Functions, *Nov. 5*, 89, 111.
  Navy—Painting and Decorating of Ships at Officers' Expense, Discouragement of, proposed, *Nov. 12*, 1031.

[*cont.*

Davies, Mr. T. H.—*cont.*
Straits Settlements Currency, Changes in—Effect on Salaries, *Nov. 14*, 1470.
Vaccination Exemption Certificates—Case of W. Evans, *Nov. 12*, 1057.
Wei-hai-Wai — Disbandment of Chinese Regiment, *Nov. 12*, 1033.

Debt, Imprisonment for
Amendment of Law, proposed.
Qs. Mr. Maclean, Mr. Byles; *As.* Sir J. Walton, *Nov. 7*, 554, 555.

Delany, Mr. W. [Queen's County, Ossory]
Drogheda Estate, Sale proposals for—Cases of D. Geoghegan and J. Costello, *Nov. 6*, 345, 346.
Floods in Ireland, proposals for Prevention of, *Nov. 8*, 757.
Landes Estate—Reinstatement Claim of W. Malone and J. Geoghegan, *Nov. 7*, 563.
Soldiers Incurably Disabled, Maintenance of—Reason for Discharge of Invalids from Netley, *Nov. 8*, 830.
Workhouses, Irish, Soldiers maintained in, *Nov. 5*, 110.

Delmege Estate
Sale Proposals for—Inclusion of Untenanted Land, etc.
Q. Mr. Lundon; *A.* Mr. Bryce, *Nov. 6*, 343.

Denbigh, Earl of
Education (England and Wales) Bill, *Com.*, *Nov. 6*, 263; *Nov. 7*, 478, 479.

Devonshire, Duke of
Education (England and Wales) Bill, *Com.*, *Nov. 6*, 253–255, 258; *Nov. 7*, 454, 455, 506–510, 516; *Nov. 12*, 993–995.

Dewar, Mr. A. [Edinburgh, S.]
Land Tenure Bill, *Con.*, *Nov. 7*, 610.
Small Holdings in Scotland, Statistics as to, *Nov. 5*, 135.

Dicken Estate
Untenanted Land, Purchase of, proposed.
Q. Mr. Lundon; *A.* Mr. Bryce, *Nov. 6*, 342, 343.

Dickson-Poynder, Sir J. [Wiltshire, Chippenham]
Land Tenure Bill, *Con.*, *Nov. 6*, 361, 362.

Dilke, Rt. Hon. Sir. C. W. [Gloucestershire, Forest of Dean]
Navy—Annual Return of Fleets, Form of, *Nov. 8*, 731.
Newfoundland Fisheries—*Modus Vivendi* with United States—Imperial Government Power to override Provisions of a Newfoundland Act, *Nov. 8*, 738.
Trade Disputes Bill, *Con.*, *Nov. 5*, 157, 178.

Dillon, Mr. J. [Mayo, E.]
National School Teachers' Grievances, Proposals for dealing with, *Nov. 14*, 1507, 1508.

Diplomatic and Consular Services
Conditions of Appointments to Salaried and Unsalaried Posts.
Qs. Mr. Bottomley, Sir J. Randles; *As.* Sir E. Grey, *Nov. 6*, 326, 327, 328.
Examinations, Arrangements for.
Q. Mr. Yoxall; *A.* Sir E. Grey, *Nov. 12*, 1019.
Vice-Consuls, Training of—Visits to Manufacturing Centres, proposed.
Q. Mr. Yoxall; *A.* Sir E. Grey, *Nov. 12*, 1019.

Docks, Wharves and Quays
Accidents during 1905 caused by Defective Lifting-tackle.
Q. Mr. Hooper; *A.* Mr. Gladstone, *Nov. 7*, 539.

Dockyards, Naval
See under Navy.

Dogger Bank
Russian Fleet, Outrage on Fishing Vessels by—Cost and Result of Commission of Inquiry.
Q. Mr. Cremer; *A.* Sir H. Campbell-Bannerman, *Nov. 12*, 1066.

Dolan, Mr. [Leitrim, N.]
Dromahair—Reason for Refusal of Entry to Drumlease Band, *Nov. 12*, 1011.
Kittyclogher—Proposals for Relief of Distress, *Nov. 12*, 1013.

Doughty, Sir G. [Great Grimsby]
Crimean and Indian Mutiny Veterans, Pensions of, *Nov. 8*, 736.
Land Tenure Bill, *Con.*, *Nov. 14*, 1600.
Naval Redistribution Scheme—Names of Vessels, etc., *Nov. 6*, 319.
Perkins, Mrs. Elizabeth, Case of, *Nov. 8*, 744, 745.

Douglas, Rt. Hon. A. A. [Kent, St Augustine's]
Land Tenure Bill, *Con.*, *Nov. 7*, 635.

Dover Harbour (Works, &c.) Bill
*c. Rep.** *Nov. 8*, 719.

Downes-Martin Estate
Untenanted Lands—Case of D. Looby.
Q. Mr. K. O'Brien; *A.* Mr. Bryce, *Nov. 14*, 1467, 1468.

Drogheda, Estate of Earl of
Sale Proposals for—Cases of D. Geoghegan and J. Costello.
Qs. Mr. Delany; *As.* Mr. Bryce, *Nov. 6*, 345, 346.

Dromahair
Drumlease Band, Reason for Refusing Right of Entry to.
Q. Mr. Dolan; *A.* Mr. Bryce, *Nov. 12*, 1011.

Dromore
Floods, Proposals for prevention of.
Qs. Mr. S. Young, Mr. MacVeagh; *As.* Mr. McKenna, *Nov. 6*, 347, 348.

Drumderg
Post-bag, Private, Charge for—Case of Mr. Hurst.
Q. Mr. Fetherstonhaugh; *A.* Mr. Buxton, *Nov. 7*, 532.

Dublin
Ordnance Survey Office Grounds, Cost of Upkeep.
Q. Mr. Field; *A.* Sir E. Strachey, *Nov. 5*, 100.

Police Magistrates, Age for Retirement of.
Q. Mr. Fetherstonhaugh; *A.* Mr. Bryce, *Nov. 12*, 1027.

Science College

Architect, Selection of and Work done by.
Q. Mr. Mooney; *A.* Mr. McKenna, *Nov. 7*, 565.

Building Materials, Irish, Decision as to use of.
Qs. Mr. W. Redmond; *As.* Mr. McKenna, *Nov. 7*, 564, 565.

Duke of York's School
Site, Proposals as to disposal of.
Q. Mr. Courthorpe; *A.* Mr. Haldane, *Nov. 7*, 531.

Duncan, Mr. R. [Lanarkshire, Govan]
New Hebrides Convention, Subjects Included in, *Nov. 13*, 1288.

Trade Disputes Bill, *Con.*, *Nov. 5*, 191.

Dunn, Mr. A. E. [Cornwall, Camborne]
Land Tenure Bill, *Con.*, *Nov. 12*, 1091, 1100; *Nov. 14*, 1573, 1593.

Dunne, Major E. M. [Walsall]
Land Tenure Bill, *Con.*, *Nov. 13*, 1378, 1379.

Dunraven Estate
Evicted Tenants, Reinstatement Claims of—Case of T. Drew.
Q. Mr. Lundon; *A.* Mr. Bryce, *Nov. 8*, 755.

Durham, Earl of
Africa, South—Land Settlement in

Land Board, Etablishment of, proposed, *Nov. 14*, 1394.

Status of Settlers, Steps taken to Safe guard Interests of, etc., *Nov. 14*, 1392–1394.

Durness Bay
Illegal Trawling on September 9th—Reason for not taking Proceedings, etc.
Q. Mr. Morton; *A.* Mr. Sinclair, *Nov. 7*, 557, 558.
Qs. Mr. Morton, Mr. Hunt; *As.* Mr. Sinclair, *Nov. 13*, 1300, 1301.

Ecclesiastical Commissioners
Tenancy Holdings, Information as to.
Q. Mr. Wedgwood; *A.* Mr. C. Hobhouse, *Nov. 13*, 1278.

Edinburgh Tramway Bill
Delay in Introducing, Cause of.
Q. Lord Dalmeny; *A.* Mr. Sinclair, *Nov. 12*, 1021.

Education, Board of
President—Rt. Hon. A. Birrell.

Parliamentary Secretary—Mr. T. Lough.

Education, England and Wales
[*See also Names of places.*]

Church Basements, Number of Schools in.
Q. Mr. J. Ward; *A.* Mr. Birrell, *Nov. 7*, 349, 550.

Five Years, Discouragement of Attendance of Children under, proposed.
Qs. Mr. Ashley, Mr. H. Cox; *As.* Mr. Birrell, *Nov. 14*, 1496, 1497.

Passive Resisters

First Class Misdemeanants, Treatment as, proposed.
Q. Mr. Cowan; *A.* Mr. Gladstone, *Nov. 7*, 543.

Stay of Proceedings against by Local Authorities, pending Decision in West Riding Appeal Case, proposed.
Q. Mr. Whitehead; *A.* Mr. Burns, *Nov. 5*, 127.

Punishment Book, Regulations as to keeping in Schools.
Q. Dr. Cooper; *A.* Mr. Birrell, *Nov. 7*, 552.

Religious Instruction

Bibles, etc., Obligation of Local Authority to Provide in Non-Provided Schools.
Qs. Mr. Lane-Fox, Mr. Clough, Dr. Macnamara; *As.* Mr. Birrell, *Nov. 8*, 749, 750.

West Riding Appeal Case,

Cost of.
Q. Mr. Courthope; *A.* Sir J. Walton, *Nov. 7*, 555.

Date of Hearing.
Q. Mr. Ashley; *A.* Sir J. Walton, *Nov. 14*, 1497.

Schools

Area of Floor Space allotted to each Child.
Qs. Dr. Macnamara, Mr. Lupton, Mr. J. Ward; *As.* Mr. Birrell, *Nov. 7*, 550, 551.

[*cont.*

Education, England and Wales—*cont.*
Schools—*cont.*
Number of Council Schools, Religious Instruction given in, etc.
Qs. Dr. Macnamara; *As.* Mr. Birrell, Mr. Speaker, *Nov. 6*, 333, 334.
Secondary Schools, Grants to, etc.
Qs. Sir G. Kekewich; *As.* Mr. Lough, *Nov. 13*, 1296, 1298.
Teachers
Registration Fees, Allocation of.
Q. Mr. Butcher; *A.* Mr. Birrell, *Nov. 8*, 722.
Superannuation Act, Contributions under—Account paid to, etc.
Q. Mr. Hedges; *A.* Mr. Birrell, *Nov. 6*, 314.
Voluntary Schools—Premises of Schools Subject to Charitable Trusts Transferred to Local Authorities since 1902.
Os. Bishop of Wakefield, *Nov. 12*, 919, 920; Earl of Crewe, 920.
Statement as to Transfer Presented, *Nov. 12*, 917, 999.

Education (England and Wales) Bill
l. Com, *Nov. 5*, 12; *Nov. 6*, 241; *Nov. 7*, 437; *Nov. 8*, 655; *Nov. 12*, 921; *Nov. 14*, 1412.
Debates in Committee (*Lords*) *Nov. 5*, 12; *Nov. 6*, 241; *Nov. 7*, 437; *Nov. 8*, 655,; *Nov. 12*, 921; *Nov. 14*, 1412.
Church of England
Blow aimed at, alleged, 58, 66, 73.
Schools, Effect of the Bill on, 73, 74, 507–514.
Clause 2, Appeal under, Absence of Provision as to, 658.
Clause 4
Effect of, on Church of England Schools, 507–514.
Sub-section I., Omission of Paragraphs (a) and (b), proposed, 242.
Clause 5
Government Proposals as to, 462, 463, 514–516.
Sub-section (3), Omission of, proposed, 668–670.
Sub-section (4), Omission of, proposed, 670–680.
Clause 7, Omission of, proposed, 694–716.
Conduct of the Measure in the House of Lords, 449.
Government Amendments, Proposals as to, 250, 251, 446, 449.
New Schools, Provisions as to taking over by the Local Authorities, 686–694.

Education (England and Wales) Bill—*cont.*
Debates in Committee—*cont.*
Parents Committee in all Schools, proposed, 923, 943–949, 989.
Religious Instruction
All-round Facilities, Question as to, 263, 265, 270, 299, 300, 445, 448, 449, 454.
"Anson By-law," Working of, 703, 708.
Attendance at to be compulsory, proposed, 695–716.
Exemption of Children getting outside Religious Instruction, proposed, 921–942.
New Clause, 921–942.
Ballot to ascertain Wishes of Parents—Draft Regulations for, 244, 245, 249, 251, 256, 257, 259.
Form of Vote and Note appended to, 246, 257, 258.
Holding of, to be at the Option of the Local Authority, proposed, 257, 258.
Omission of Provision for, proposed, 243, 248, 253–256.
Opportunity for further Discussion of, 258, 259, 260, 264, 265.
Secrecy of, 244, 246, 247, 251.
Children outside the Majority, Objections to classing as one, 288–292.
Denominational
Five Days Teaching a Week, Decision as to, 31–35.
Right of Parents to Demand, 39, 41, 55, 70, 264, 266.
Form of Instruction to be in accordance with the Trust Deed of the School, proposed, 53, 54, 500, 501, 502.
Jewish Deputation, Speech made by President of Board of Education, 969, 983.
Mandamus, Possibility of Enforcing, 41, 43, 44, 48, 50.
Minorities, Accommodation for, Protection of Interests of, etc., 282–288, 296–309, 438–457.
Nonconformists in Anglican Schools, Facilities for, 503–505.

[*cont.*

Education (England and Wales) Bill—*cont.*
- Debates in Committee—*cont.*
  - Religious Instruction—*cont.*
    - Questions arising between Parents and Persons responsible for providing Religious Facilities, to be determined by the Board of Education, proposed, 19–25.
    - Secular Instruction for Children withdrawn from Religious Instruction, proposed, 921–942.
    - Special Facilities
      - Accommodation for Children, Question as to, 251, 252, 261, 279–281.
      - Appeal to Board of Education where Owners are Dissatisfied with Action of Local Authority or as to mode in which Facilities are afforded, proposed, 655–662.
      - Definition of, 65, 71, 296, 297.
      - Facilities not to be given unless the Number of Children in the Neighbourhood is sufficient to maintain two Efficient Schools, etc., proposed, 293–296.
      - Five Years Security, Proposals as to, 683–686.
      - Inspection, Arrangements for, 25–27, 473.
      - Making Compulsory on Board of Education to make Arrangements, 662.
      - Making Granting of Compulsory, proposed, 35–50.
      - Order to be made by Board of Education as to how the Facilities should be carried out, proposed, 680–682.
      - Parents Committee to be responsible for, and have control of, 500.
      - Parents Committee to carry out Provisions and nominate Teachers, proposed, 480–500.
      - Permission to be withdrawn in Case of Dispute with Owners, if the Board of Education think fit, 476, 477.
      - Permission to be withdrawn on Application by Parents of not less than Twenty Children, proposed, 475, 476.

Education (England and Wales) Bill—*cont.*
- Debates in Committee—*cont.*
  - Religious Instruction—*cont.*
    - Special Facilities—*cont.*
      - Prior Right of Admission to be secured to Children of Parents residing in the Area for which the School is available, proposed, 477–480, 482.
      - Public Inquiry, Abolition of, proposed, 241, 242.
      - Rural Areas, Inclusion of, proposed, 54–78.
      - Schools not continued by Local Authorities, granting Facilities for Children hitherto in, proposed, 13–19.
      - "Two-thirds," Substitution of, for "Four-fifths," proposed, 277, 278.
      - Where Parents of a Majority of Children attending the School desire it, proposed, 241, 261–275.
    - Teachers, *see that subheading.*
    - Time allotted to, to be not less than Thirty clear Minutes on each Day the School is open, proposed, 282, 288, 288.
  - Reprinting Bill as amended, proposed, 516.
  - Roman Catholics
    - Schools, Position of, 267, 268.
    - Special Treatment of, alleged, 58, 508.
  - Secular Solution rejected by the Country, alleged, 263, 265.
  - State-aided Schools, Proposals as to Establishment of, 663, 664, 670–680.
    - Granting Power to Owners to ask for an Order from the Board of Education, proposed, 682, 683.
    - Grants to, under Act of 1870, Question as to, 684.
    - Managers, Powers of Local Authorities to appoint, etc., 672, 673, 678.
    - Parents of Twenty Children, Powers of Appeal to the Board of Education, 670, 671, 673, 674.
    - Teachers, Provisions as to Appointment of, 673.

[*cont.*

Education (England and Wales) Bill—*cont.*
Debates in Committee—*cont.*
Teachers
Appointment of
Right of Parents to nominate, 946–948.
Without Reference to Religious Creed or Denomination, proposed, 1413–1417, 1422.
Religious Denominational Instruction by, provisions as to, 953–995, 1416, 1417.
Conscientious Objections to be stated in Writing. proposed, 1427–1430.
Local Authorities to permit provided Teachers desire to give it, proposed, 457–466, 467.
Local Authorities to satisfy themselves as to the Qualifications of Teachers selected, 1447–1456.
No Addition to nor Deduction from Salary to be made, 1431–1447.
Ordinary Teachers in the Schools to give, proposed, 945, 953–966, 970–995.
Outside Teachers, Proposals as to, 1417–1419.
Position of Teacher refusing to give, 1417–1419.
Provision of Teachers of all Denominations, proposals as to, 308, 443, 444, 451, 452.
Teacher shall not be required to give or to abstain from giving, etc., 1425, 1426.
Teachers appointed after the passing of the Act to be exempt from, proposed, 950–958.
Voluntary giving of, to be accepted, proposed, 1426, 1427.
Religious Tests for, Abolition of, 950, 973, 976, 978, 986.
Unworkable Nature of the Bill, alleged, 245.
Voluntary Schools
Applications to Local Authorities by Owners of School-houses, or Parents of at least twenty Children, Consideration of, proposed, 468, 469.
Associations constituted under Act of 1897, Continuance of, proposed, 27–31.

Education (England and Wales) Bill—*cont.*
Debates in Committee—*cont.*
Voluntary Schools—*cont.*
Contracting out, Facilities for, 663, 664, 670–680.
No Rent to be charged for Transferred Schools in which special Religious Facilities are granted, 469–471.
Rent paid for to be reserved as Payment by Owners for special Religious Facilities, proposed, 471–473.
Revision of Arrangements at Expiry of five years, proposed, 474, 475.
Taking over by Local Authorities.
Agreements to be renewable, or fresh Arrangements to be made in a similar manner, proposed, 666–668.
Period of Transfer, Question as to, 665, 666.
Grant, additional (£1,000,000), Proposals as to Payment of.
Q. Sir C. Hill; *A.* Mr. Birrell, *Nov. 6*, 314.
Letter from the Archbishop of Canterbury to Canon Holland, Terms of.
Os. Archbishop of Canterbury, *Nov. 5*, 79–81; Earl of Crewe, 81.
Union Jack, Provision as to Compulsory Hoisting over School-houses, proposed.
Q. Sir H. Vincent; *A.* Mr. Birrell, *Nov. 14*, 1494.

Education, Ireland
See also Names of Places.
Annual Report—Appendix Presented, *Nov. 14*, 1381, 1457.
Grants—Proportion to Children, Comparison with Scotland, etc.
Q. Mr. Murphy; *A.* Mr. Bryce, *Nov. 12*, 1011, 1012.
Intermediate—Rules and Programme of Examination, Presented, *Nov. 9*, 853; *Nov. 12*, 918.
National School Teachers
Complaint against, Procedure in Investigating.
Q. Mr. P. O'Brien; *A.* Mr. Bryce, *Nov. 13*, 1279.
Grievances, Proposals for remedying.
Q. Mr. V. Kennedy; *A.* Mr. Bryce, *Nov. 8*, 753.
Qs. Mr. Dillon; *As.* Mr. Bryce, *Nov. 14*, 1507, 1508.
Salaries—New System, Effect of.
Q. Mr. J. O'Connor; *A.* Mr. Bryce, *Nov. 5*, 90.
School Building Plans, Decision as to.
Q. Mr. Farrell; *A.* Mr. McKenna, *Nov. 13*, 1273.

Education, Ireland—*cont.*
Training Colleges, Building Grants, Decision as to.
Q. Mr. J. Redmond; *A.* Mr. Bryce, *Nov. 8*, 757, 759.

Education (Provision of Meals) Bill
Payment for Meals, Provisions for demanding.
Q. Mr. H. Cox; *A.* Mr. Birrell, *Nov. 7*, 552, 553.
Proposals as to.
Q. Mr. Bottomley; *A.* Sir H. Campbell-Bannerman, *Nov. 5*, 139.

Education, Scotland
Vice-President of the Council—Rt. Hon. J. Sinclair.
See also Names of Places.
Books, Charge for, at Schools in Ross and Cromarty.
Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 13*, 1275.
Scottish History, Proposals for Teaching of.
Qs. Mr. Gulland; *As.* Mr. Sinclair, *Nov. 8*, 752, 753.

Edwards, Mr. A. C. [Denbigh District]
Land Tenure Bill, *Con.*, *Nov. 12*, 1254.
Trades Disputes Bill, *Con.*, *Nov. 5*, 151–155, 170–172, 176–178.

Egypt
Alcoholic Liquors imported (1900–1906).
Q. Dr. Rutherford; *A.* Sir E. Grey, *Nov. 8*, 741.
Mixed Courts, proposed changes in Law and Procedure of—Reply to Circular sent to the Powers, etc.
Q. Mr. J. M. Robertson; *A.* Sir E. Grey, *Nov. 8*, 740, 741.
Nile Flood, Utilisation of Mud carried by.
Q. Mr. J. M. Robertson; *A.* Sir E. Grey, *Nov. 8*, 740.

Election Petition Acts
Amendment, Proposals as to.
Q. Mr. MacNeill; *A.* Sir H. Campbell-Bannerman, *Nov. 12*, 1065, 1066.

Eleven o'Clock Rule
Suspension of
Motion (Sir H. Campbell-Bannerman) *Nov. 5*, 142.

Elgin and Kincardine, Earl of—*Secretary of State for the Colonies.*
Africa, South—Land Settlement in
Land Board, Establishment of. proposed, *Nov. 14*, 1391.
Status of Settlers, Steps taken to safeguard Interests of, etc., *Nov. 14*. 1391, 1392.

Ellis, Rt. Hon. J. E.—*Under-Secretary for India* [Nottingham, Rushcliffe]
Madras—Local Information as to proposed Division of Madura District, *Nov. 13*. 1287.

Enfield
Ball, A., Case of—Reduction of Sentence, proposed.
Q. Viscount Turnour; *A.* Mr Gladstone, *Nov. 13*, 1292.

Enfranchisement of Women
See Women's Suffrage.

Erris
Estates of Mr. J. M. Coyne and Mr. Bengham, proposals for Purchase of.
Q. Mr. O'Dowd; *A.* Mr. Bryce, *Nov. 14*, 1461.

Esmonde, Sir T. G. [Wexford, N.]
Arklow
Harbour Report, Authority requesting, *Nov. 8*, 759.
Pier, proposals as to, *Nov. 5*, 93.
Courtown Harbour, Silting-up of—Proposals for Dredging, *Nov. 8*, 759.

Evans, Mr. S. T. [Glamorgan, Mid]
Trade Disputes Bill, *Con.*, *Nov. 5*, 167, 168.

Evans - Gordon, Major Sir W. [Tower Hamlets, Stepney]
Aliens, Diseased, segregation of—Liability for Cost of Treatment, etc., *Nov. 6*, 330.
Whitechapel Union, Aliens Relieved in, during 1905, *Nov. 12*, 1061.
Woolwich Arsenal Discharges, Decision as to—Proposals for Assisting Discharged Men, etc., *Nov. 6*, 320, 322.

Everett, Mr. R. L. [Suffolk, Woodbridge]
Beer Tax—Application to Farmhouses, *Nov. 12*, 1025.
Land Tenure Bill, *Con.*, *Nov. 6*, 403, 404; *Nov. 8*, 773, 777, 779; *Nov. 12*, 1192; *Nov. 14*, 1522, 1554, 1556.

Evictions
See under Ireland and also Names of Places and Estates.

Faber, Capt. W. V. [Hants, Andover]
Tidworth Barracks—Decision as to Provision of Hospital, *Nov. 6*, 320.
Woolwich Arsenal Discharges, Decision as to, *Nov. 6*, 320.

Faber, Mr. G. D. [York]
Land Tenure Bill, *Con.*, *Nov. 14*, 1522–1524.

Farrell, Mr. J. P. [Longford, N.]
Aghnacliffe, Telegraph Extension to, *Nov. 14,* 1462.
Longford
Land Commission Sitting, Date of, *Nov. 14,* 1461.
Land Sales—Progress made with Inquiries, *Nov. 12,* 1012.
Petty Sessions Clerkships, Law Officers of the Crown Consulted as to, *Nov. 13,* 1273.
School Building Plans, Decision as to, *Nov. 13,* 1273.

Feagh
School—Case of Mr. McCurdy.
Q. Mr. Murphy; *A.* Mr. Bryce, *Nov. 14,* 1469, 1470.

Federated Malay States
See under Straits Settlements.

Fell, Mr. A. [Great Yarmouth]
Aliens, Undesirable, International Arrangement as to Asylum for, proposed, *Nov. 8,* 741.
Guiana, British, System of Supply of Government Stores to, *Nov. 5,* 113.
Harris Tweed Merchants, Combination of, to Raise Prices—Ensuring Share of Increase to Weavers, proposed, *Nov. 5,* 138.
Hollesley Bay Labour Colony—Authority for sending Men to London to Vote at Municipal Elections, *Nov. 7,* 545; *Nov. 12,* 1001.
Trade Disputes Bill, 3R., *Nov. 9,* 856, 881, 883.
Transvaal
Self Government Proposals—Franchise Rights of Aliens, *Nov. 14,* 1481.
White Labour—Effect of Employment of Chinese, *Nov. 8,* 739.

Ferguson, Mr. R. C. M. [Leith Burghs]
Land Tenure Bill, *Con., Nov. 6,* 373, 410; *Nov. 7,* 613, 639; *Nov. 12,* 1138, 1204, 1210; *Nov. 13,* 1314–1316, 1317; *Nov 14,* 1616.

Fermanagh
Revision Sessions, Complaints as to.
Q. Mr. V. Kennedy; *A.* Mr. Bryce, *Nov. 13,* 1306, 1307.

Fermoy, Lord, Estate of
Sale Proposals for, Price asked of Tenants, etc.
Q. Mr. Lundon; *A.* Mr. Bryce, *Nov. 8,* 754, 755.

Fetherstonhaugh, Mr. G. [Fermanagh, N.]
Ballina Additional Fairs—Reply to Memorial, *Nov. 13,* 1278.
Ballycastle, Railway Extension to, proposed, *Nov. 13,* 1279.

Fetherstonhaugh, Mr. G.—*cont.*
Bundoran Post Office—Case of T. Daly, *Nov. 5,* 98.
Devolution—Legislative Proposals of the Government, *Nov. 12,* 1029.
Drumderg—Charge for Private Post Bag, *Nov. 7,* 532.
Dublin Police Magistrates, Age for Retirement of, *Nov. 12,* 1027.
Income Tax Returns—Proposals for preserving Confidential Character of, *Nov. 14,* 1475.
Irvinestown—Reinstatement Claim of Mrs. L. Guinn, *Nov. 6,* 315
Sailors and Soldiers, Civil Employment of, on Discharge—Proposals for Adoption of Committee Report, *Nov. 5,* 94.

Ffrench, Mr. P. [Wexford, S.]
Rosgarland Estate—Reinstatement Claim of P. and Mrs. Colfer, *Nov. 14,* 1514.

Field, Mr. W. [Dublin, St. Patrick]
Crown and Quit Rents, Amount and Allocation of, *Nov. 5,* 102.
Ordnance Survey
Control of Irish Work by Agriculture Board, proposed, *Nov. 5,* 102.
Dublin
Office Grounds, Cost of Upkeep of, *Nov. 5,* 100.
Maps supplied for Military Purposes, Payment for, *Nov. 12,* 1021.
Southampton, Irish Map-mounting, etc., done in, *Nov. 5,* 100.

First Commissioner of Works
Rt. Hon. L. Harcourt.

First Lord of the Admiralty
Lord Tweedmouth.

First Lord of the Treasury
Rt. Hon. Sir H. Campbell-Bannerman.

Fisheries
Scotland
Cruiser, Circumstances of Cruise in Western Highlands, etc.
Qs. Mr. Morton, Mr. Weir; *As.* Mr. Sinclair, *Nov. 5,* 137.
"Pioneer" Motor Boat, Result of working of.
Q. Mr. J. C. Wason; *A.* Mr. Sinclair, *Nov. 13,* 1272, 1273.
Whaling Stations, Damage done by—Proposals for dealing with Matter.
Q. Major Anstruther-Gray; *A.* Mr. Sinclair, *Nov. 7,* 555, 556.
Q. Mr. J. C. Wason; *A.* Mr. Sinclair, *Nov. 12,* 1002.

Fittleton
War Office Land, Rent asked for.
Qs. Mr. Rogers; *As.* Mr. Haldane, *Nov. 8*, 732, 733.

Fitzmaurice, Lord — *Under-Secretary for Foreign Affairs.*
Education (England and Wales) Bill, *Com.*, *Nov. 5*, 42–44, 59–64; *Nov. 6*, 255, 259, 281, 304, 305.
Marshall Islands—Reply of German Government as to Claim of Messrs. Burns, Philp & Co., *Nov. 14*, 1382.

Flavin, Mr. M. J. [Kerry, N.]
Land Tenure Bill, *Con.*, *Nov. 7*, 1188, 1189.

Flogging
Sentences Inflicted in 1904 and 1905, Offences committed, etc.
Q. Mr. H. Morgan; *A.* Mr. Gladstone, *Nov. 13*, 1269, 1270.

Flynn, Mr. J. [Cork, N.]
Butter—Legislation to Prevent Fraud, Proposals for Introduction of, *Nov. 12*, 1065.
Kanturk—Scheme for Cabinet-making Instruction, *Nov. 14*, 1503, 1504.
Strangers, Espial of—Procedure under Standing Order 91, *Nov. 6*, 351.
Taxation, Local, Account—Allocation of £9,901,290, *Nov. 14*, 1498.

Flynn, R., Case of
Cause for Release from Prison, etc.
Qs. Mr. O'Grady, Mr. J. Ward; *As.* Mr. Gladstone, *Nov. 8*, 743, 744.

Foreign Countries
Railways owned by the Government, Cost of, Financial Results, etc.—Return Ordered, *Nov. 13*, 1265.

Foreign Office
Secretary of State—Rt. Hon. Sir E. Grey.
Under-Secretary—Lord Fitzmaurice.

Forster, Mr. H. W. [Kent, Sevenoaks]
Land Tenure Bill, *Con.*, *Nov. 6*, 415; *Nov. 12*, 1103, 1117.
Soldiers Incurably Disabled, Maintenance of—Reason for Discharge of Invalids from Netley, *Nov. 8*, 844.

Fowler, Rex *v.*
Decision as to Proceeding for Perjury.
Q. Viscount Turnour; *A.* Sir J. Walton, *Nov. 7*, 554.

Fowler, Right Hon. Sir H. H.—*Chancellor of the Duchy of Lancaster* (Wolverhampton, E.]
Parliamentary Procedure Reform Committee, Position of, *Nov. 6*, 334.

France
Trade Report Presented, *Nov. 5*, 3.

Fullerton, Mr. H. [Cumberland, Egremont]
Congo Free State Reform Proposals, *Nov. 5*, 119.
Mining Royalties Paid during last Five Years, *Nov. 8*, 742.
"Xema" S.S.—Allegations as to Interception by British Naval Cruisers *Nov. 8*, 727.

Galway
Parliamentary Election
Conduct of Police, etc.
Qs. Mr. Lonsdale, Mr. J. Redmond, Mr. T. L. Corbett; *As.* Mr. *Bryce*, *Nov. 7*, 567, 568.
Information as to.
Q. Mr. Barrie; *A.* Mr. Bryce, *Nov. 8*, 754.
New Member Sworn, *Nov. 12*, 1068.

Galway, Viscount
Education (England and Wales) Bill, *Com.*, *Nov. 5*, 70; *Nov. 6*, 258.

Gardner, Colonel A. [Herefordshire, Ross]
Land Tenure Bill, *Con.*, *Nov. 14*, 1587.

Gardner, Mr. E. [Berks, Wokingham]
Land Tenure Bill, *Con.*, *Nov. 14*, 1562.

Gas and Waterworks Facilities Act
Proceedings under (1906)—Report Presented, *Nov. 5*, 3, 82.

Gibbs, Mr. G. A. [Bristol, W.]
Land Tenure Bill, *Con.*, *Nov. 8*, 785.

Ginnell, Mr. L. [Westmeath, N.]
Constable Scott, Reason for Promotion of, *Nov. 14*, 1506, 1507.
Labourers Acts, Land acquired under—Powers of District Councils as to Letting, *Nov. 14*, 1504., 1505.
Land, Untenanted
Date of Issue of Return, *Nov. 14*, 1514.
Purchase Proposals for, *Nov. 14*, 1505.
Land Commission, Valuation of Land—Effect of Agricultural Depreciation, etc., *Nov. 13*, 1304.
Land Judges Court—Estates which Estates Commissioners have refused to Purchase, *Nov. 6*, 311.
Land Purchase
Company-owned Estates, Proposals as to, *Nov. 14*, 1505.
Prices
Amendment of Act to prevent Payment of Excessive Prices, proposed, *Nov. 7*, 569.
Effect of Act of 1903 upon, *Nov. 7*, 569.
Uneconomic Holdings, Policy as to, *Nov. 13*, 1305.

[*cont.*

Ginnell, Mr. L.—*cont.*
- Magan Estate, Sale Proposals for, *Nov. 7*, 561.
- Maher and Rotherham Estates—Disposal of Untenanted Land, *Nov. 14*, 1502.
- Malone Estate Grass Farms, Disposal of, *Nov. 7*, 561; *Nov. 13*, 1302, 1304, 1305.
- Paget Estate, Sale Proposals for, *Nov. 13*, 1305.
- Pakenham Estate Untenanted Land, Sale Proposals for, *Nov. 7*, 560.

Gipsies
- Aliens wandering throughout Great Britain
  - Expenses of Local Authorities in dealing with—Return proposed.
    - *Qs.* Mr. C. Hay, Sir H. Vincent; *As.* Mr. Gladstone, *Nov. 5*, 123, 124.
  - Warwickshire Police, Legality of Action of, in Preventing Entry to County.
    - *Q.* Mr. Pickersgill; *A.* Mr. Gladstone, *Nov. 14*, 1463.
    - *Q.* Mr. W. Johnson; *A.* Mr. Gladstone, *Nov. 14*, 1475.

Gladstone, Rt. Hon. H. J. — *Secretary of State for the Home Department* [Leeds, W.]
- Aliens
  - Diseased, Segregation of—Liability for Cost of Treatment, etc., *Nov. 6*, 330, 331.
  - Nettlau, Dr. Max, Case of, *Nov. 8*, 746; *Nov. 13*, 1291.
- Aliens Act Administration, Jewish suggestion as to, *Nov. 12*, 1059.
- Bedford Quarter Sessions—Sentence on G. Woods and W. C. Hutchinson, *Nov. 8*, 745.
- Cabs and Omnibuses (Metropolis) Select Committee Report, Adoption of, *Nov. 5*, 125, *Nov. 6*, 331.
- Channel Islands—Merchant Shipping Laws, Application to, *Nov. 12*, 1058.
- Children—Street Trading, Regulations as to, *Nov. 12*, 1059, 1060.
- Docks, Wharves and Quays—Accidents during 1905, caused by Lifting Tackle, *Nov. 7*, 539.
- Enfield—Case of A. Ball, *Nov. 13*, 1292.
- Flogging Sentences in 1904 and 1905—Offences committed, etc., *Nov. 13*, 1270.
- Flynn, R., Case of, *Nov. 8*, 743, 744.
- Gipsies, Alien
  - Legality of Action of Warwickshire Police, *Nov. 14*, 1463, 1475.
  - Return of Expenses of Local Authorities in dealing with, proposed, *Nov. 5*, 124.
- Infant Life Insurance, Proposals for Regulation of, *Nov. 8*, 747.

Gladstone, Rt. Hon. H. J.—*cont.*
- Judicial Statistics (1905)—Date of Publishing, *Nov. 8*, 746.
- Juvenile Offenders—Committals to Prison for Non-payment of Fine—Nature of Original Offence, *Nov. 8*, 723.
- Loughborough Brush Company, Circumstances of granting Liquor Licence to *Nov. 5*, 126; *Nov. 8*, 742.; *Nov. 14*, 1464.
- Magistrates, Oaths taken by, *Nov. 12*, 1060.
- Manchester—Arrest of Zingar on charge preferred by Russian Authorities, *Nov. 7*, 544.
- Mining Royalties paid during last five years, *Nov. 8*, 743.
- Motors
  - Accidents to, and caused by, in Metropolis, *Nov. 5*, 84.
  - Child run over by Motor—Inquiry into Coroner's Remarks, proposed, *Nov. 5*, 125.
  - Skidding and Excessive Speed, Prevention of Accidents from, *Nov. 5*, 127.
- Naturalisation, Fees charged for, *Nov. 13*, 1276.
- Parliamentary Elections Expenses—Date of Presenting Return, *Nov. 6*, 315.
- Passive Resisters—Treatment as First Class Misdemeanants in Gaol, proposed, *Nov. 7*, 543.
- Perkins, Mrs. E., Case of, *Nov. 7*, 541, 542; *Nov. 8*, 744–745.
- Prisons
  - Crêches, Establishment of, *Nov. 14*, 1465.
  - Enamel Ware Utensils, Use of, proposed, *Nov. 13*, 1271.
  - Prisoners awaiting Trial.
    - Bail, Increased Facilities for, proposed, *Nov. 8*, 746.
    - Detention of, in Gaol, *Nov. 12*, 1057.
- Quarries, Accidents in and Proposals for Prevention, *Nov. 8*, 747.
- Registry Offices—Investigation of Fees charged to Male Applicants, *Nov. 6*, 329.
- Restaurants, etc., Stoppages from Wages of Employees in — Application of Truck Act, proposed, *Nov. 6*, 330.
- Summary Jurisdiction.
  - Imprisonment for Non-Payment of Fine, Period for, *Nov. 14*, 1466.
  - System, Revision of, Proposed, *Nov. 14*. 1465.
- Vaccination
  - Exemption Certificates
    - Evans, W., Case of, *Nov. 12*, 1057.
    - Walden, Mr., Case of, *Nov. 14*, 1463.

[*cont.*

Gladstone, Rt. Hon. H. J.—*cont.*
Vivisection
Report on Illegal Experiments, Expediting Publication of proposed, *Nov. 13*, 1291.
Royal Commission, Constitution of, *Nov. 5*, 126.
Wadhurst—Reconsideration of Stevens Case, *Nov. 14*, 1464.
Women's Suffrage Disturbance—Prison Accommodation, etc., *Nov. 7*, 543.
Wormwood Scrubbs Prison—Case of J., Yallop, *Nov. 12*, 1060.

Glasgow
Barlinnie Prison Accommodation.
Q. Mr. Watt; *A.* Mr. Sinclair, *Nov. 14*, 1499.
Telephone Service—Conditions of Employment of Operators.
Q. Mr. Nuttall; *A.* Mr. Buxton, *Nov. 5*, 87.

Glenbeigh & Glencar
Potato Crop, Fears of Failure of, and Proposals for Relief Works.
Q. Mr. Boland; A. Mr. Bryce, *Nov. 13*, 1309.

Glen-Glassaugh
Distillery and Source of Excess of Spirits found at.
Q. Mr. Meehan; *A.* Mr. Runciman, *Nov. 13*, 1267.

Gortnahoe
Meeting, Reason for Police Attendance at.
Q. Mr. K. O'Brien; *A.* Mr. Bryce, *Nov. 14*, 1468.

Government Departments
Soldiers, Discharged, Employed in, *see under* Army—Soldiers.

Grant, Mr. C. [Warwickshire, Rugby]
Land Tenure Bill, *Con.*, *Nov. 12*, 1249, 1257, 1259; *Nov. 14*, 1558, 1571, 1572, 1573, 1595, 1600, 1601, 1603, 1604, 1611, 1614.

Great Northern Railway (Ireland) Bill
c. 2R., *Nov. 6*, 309.
c. *Rep.** *Nov. 12*, 1265.

Greenwich Hospital
Age Pensions, Information as to.
Qs. Mr. Bramsdon; *As.* Mr. E. Robertson, *Nov. 13*, 1274, 1280, 1281.

Greenwood, Mr. G. [Peterborough]
Macedonia—Deaths by Violence during 1906, *Nov. 6*, 328.

Grey, Rt. Hon. Sir E.—*Secretary of State for Foreign Affairs* [Northumberland, Berwick]
Aland Islands, Russian Occupation of, *Nov. 7*, 532.
Aliens, Undesirable, International Arrangement as to Asylum for, proposed, *Nov. 8*, 742.
Canton Delta, Proposals for dealing with Piracy in, *Nov. 5*, 95.
Congo Free State
American Syndicate Rumoured Concession of Land to, *Nov. 6*, 327.
British Consular Representation in, *Nov. 6*, 327.
Inquiry—Publication of Reports of Consuls Mackie and Nightingale, *Nov. 13*, 1289.
Lopori—Marring a Territory, Position in, *Nov. 13*, 1288.
Stannard, Rev. E., Case of, *Nov. 13*, 1290.
Diplomatic and Consular Services
Conditions of Appointments to, *Nov. 6*, 326, 328.
Examinations, Arrangements for, *Nov. 12*, 1019.
Vice-Consuls, Training of—Visits to Manufacturing Centres, proposed, *Nov. 12*, 1019.
Egypt
Alcoholic Liquors Imported (1900–1906), *Nov. 8*, 741.
Mixed Courts, Proposed Changes in Law and Procedure of, *Nov. 8*, 741.
Nile Flood, Utilisation of Mud carried by, *Nov. 8*, 740.
Macedonia
Deaths by Violence during 1906, *Nov. 6*, 328.
Rodevo, Punishment for Turkish Outrages at, *Nov. 6*, 329.
Persia, Anglo-Russian Negotiations, Basis of, *Nov. 6*, 325.
Russo-Japanese War—Result of Negotiations as to British Vessels seized by Russian Cruisers, *Nov. 14*, 1470.
Servia, Commercial Treaty with Great Britain, Proposals as to, *Nov. 6*, 328.

Grimthorpe, Lord
Peers Sitting and Voting without having previously taken the Oath—Personal Explanation, *Nov. 5*, 9.

Guest, Mr. J. C. [Cardiff District]
Land Tenure Bill, *Con.*, *Nov. 6*, 397; *Nov. 7*, 585, 616, 637; *Nov. 14*, 1545, 1566.

Guiana, British
  Government Stores, System of Supply of —Power of Colony to make Contract, etc.
    Q. Mr. Fell; *A.* Mr. Churchill, *Nov. 5,* 113.

Gulland, Mr. J. W. [Dumfries Burghs]
  Scottish History, Proposals for teaching in Schools, *Nov. 8,* 752,753.

Gurdon, Sir W. B. [Norfolk, N.]
  Land Tenure Bill, *Con., Nov. 7,* 607, 618; *Nov. 8,* 782.

Gurteeny
  Outrage at House of M. Tuohy.
    Q. Mr. C. Craig; *A.* Mr. Bryce, *Nov. 14,* 1514.

Haldane, Rt. Hon. R. B.—*Secretary of State for War* [Haddington]
  Africa, South, Garrison in—Increase of Officers' Pay proposed, *Nov. 14,* 1478.
  Artillery
    Reductions, Proposals as to, *Nov. 7.* 528.
    Royal Field—Reduction Proposals for 40th Brigade, *Nov. 8,* 725.
  Carroll, H. J., Case of, *Nov. 14,* 1478.
  Cavalry—Distribution in United Kingdom, *Nov. 14,* 1467.
  Crimean War—Pensions of Veterans, *Nov. 8,* 736.
  Duke of York's School Site, Proposals as to Disposal of, *Nov. 7,* 531.
  Fittleton—Rent asked for War Office Land, *Nov. 8,* 732, 733.
  Gage, Lieut., Case of, *Nov. 12,* 1036, 1037.
  Indian Mutiny Veterans, Pensions of, *Nov. 8,* 736.
  Ipswich Barracks Alterations—Rate of Wages paid by Contractors, *Nov. 7,* 527; *Nov. 12,* 1038.
  Land Tenure Bill, *Con., Nov. 12,* 1109, 1110, 1165, 1188, 1202, 1208; *Nov. 14,* 1602, 1614.
  Lords Lieutenant—Residence Qualification of Deputy-Lieutenants, *Nov. 13,* 1280.
  Malta Garrison—Strength in 1896 and 1906, *Nov. 13,* 1285.
  Military Attachés, Qualifications of, *Nov. 12,* 1038, 1039.
  Moor Park Troops, Distance marched by, on 2nd Sept.—Authority for holding Military Sports, etc., *Nov. 8,* 725.
  Nurses—Promotion System and Reason for showing Names Alphabetically in Army List, *Nov. 7,* 530.
  Officers' Pay, Proposals as to, *Nov. 14,* 1478.
  Ordnance Survey Maps supplied for Military Purposes, Payment for, *Nov. 12,* 1021.

Haldane, Rt. Hon. R. B.—*cont.*
  Pensions
    Pearce, Private E., Case of, *Nov. 12,* 1037.
    Period for Paying, *Nov. 7,* 530.
  Personnel, Reduction of—Disposal of Officers of disbanded Regiments, *Nov. 7,* 531.
  Pitt, Sergeant (now Private), Case of, *Nov. 7,* 529.
  Preston Barracks, Utilisation of, *Nov. 13,* 1284.
  St. Helena
    Garrison, Withdrawal of—Saving effected, etc., *Nov. 8,* 731.
    Grant, Proposals as to, *Nov. 13,* 1286.
  Service Corps—Proposals for Technical Training of Officers, *Nov. 8,* 731.
  Soldiers
    Civil Employment on Discharge
      Committee Report, Proposals for Adoption of, *Nov. 5,* 94.
      Government Departments, Number Employed in, *Nov. 8,* 732.
      Incurably Disabled, Maintenance of—Reason for Discharge of Bedridden Soldiers from Netley, *Nov. 5,* 108–110; *Nov. 8,* 737, 738, 824, 830, 831, 839.
        Grant for, proposed, *Nov. 12,* 1035.
  South African War Medals, Complaints as to Award of, *Nov. 5,* 108; *Nov. 12,* 1035.
  Tidworth Barracks—Decision as to Provision of Hospital, *Nov. 6,* 320.
  Volunteers
    Brigade Organisation, Extending to Metropolis, proposed, *Nov. 5,* 107.
    Camp Training, Period for, *Nov. 12,* 1040, 1041.
    Retirement Regulations, *Nov. 14,* 1467.
  War Office
    Chain Contracts—Procedure in obtaining Form of Tender, *Nov. 6,* 319.
    Contracts, Rule as to Allocation of, *Nov. 8,* 733, 735, 736.
    Paymaster's Department—Method of Examining Accounts, *Nov. 5,* 108.
  Wei-hai-Wei—Disbandment of Chinese Regiment, *Nov. 12,* 1034.
  Woolwich Arsenal
    Cost of Stores Produced at, *Nov. 8,* 733.
    Discharges
      Decision as to — Proposals as to assisting Discharged Men, etc., *Nov. 6,* 320–322; *Nov. 12,* 1039, 1040.

[*cont.*

Haldane, Rt. Hon. R. B.—*cont.*
Woolwich Arsenal—*cont.*
Discharges—*cont.*
Length of Service of Men, etc., *Nov. 12*, 1036.
Statistics as to Number of, etc., *Nov. 7*, 526; *Nov. 8*, 734.
Information as to Number of Men Employed, Wages, Plant, etc., *Nov. 12*, 1014.
Private Contractors, Information supplied to, *Nov. 8*, 736.
Utilisation of Plant on other Work during Slack Time, proposed, *Nov. 13*, 1285.
Workhouses, Soldiers in
Number of, *Nov. 12*, 1035.
Pensions, Claims on, *Nov. 12*, 1034.

Halifax, Viscount
Education (England and Wales) Bill, *Com.*, *Nov. 5*, 45, 66, 67, 74; *Nov. 6*, 260, 284, 287, 492, 505; *Nov. 8*, 672; *Nov. 12*, 934, 952; *Nov. 14*, 1442.

Halsbury, Earl of
Education (England and Wales) Bill, *Com.*, *Nov. 5*, 31; *Nov. 8*, 673, 681; *Nov. 12*, 929, 930.
Peers Sitting and Voting previous to having taken the Oath—Question of Privilege.
Erasure of Names from Division Lists, proposed, *Nov. 5*, 5.
Henniker, Lord, Precedent of, *Nov. 5*, 12.
Penalties for, Question as to enforcing, *Nov. 5*, 5.

Harcourt, Rt. Hon. L.—*First Commissioner of Works* [Lancashire, N.E., Rossendale]
Bewsey, R., Case of, *Nov. 13*, 1275.

Hardie, Mr. J. K. [Merthyr Tydvil]
Business of the House, Course of, *Nov. 13*, 1311.
Lagos Town Improvement Scheme—Reply to Petition from Hausa Population, *Nov. 6*, 311.
Nettlau, Dr. Max, Case of, *Nov. 8*, 745; *Nov. 13*, 1291.
Perkins, Mrs. E., Case of, *Nov. 7*, 542.
Portsmouth Barracks—Inquiry into Cause of Disturbance among Stokers, *Nov. 8*, 728.
Railways—Provision of Third-class Sleeping Cars, *Nov. 12*, 1292.
War Office Contracts, Allocation of, *Nov. 8*, 735.
Women's Enfranchisement Bill.
Intro., *Nov. 7*, 571, 572.
Starring of, proposed, *Nov. 14*, 1517.

Hardy, Mr. L. [Kent, Ashford]
Land Tenure Bill, *Con.*, *Nov. 6*, 359-361; *Nov. 14*, 1536, 1577, 1584.

Harmood-Banner, Mr. J. S. [Liverpool, Everton]
Crown Lands
Agency, Reason for Change in, *Nov. 8*, 751.
Notices to Quit, Reason for and Proposals for utilising Land, etc., *Nov. 8*, 750.
Tenants, Compensation to, on Termination of Tenancy, *Nov. 13*, 1293.

Harmsworth, Mr. C. B. [Worcester, Droitwich]
Bills not completed in one Session—Taking up at same Stage in subsequent Session, proposed, *Nov. 12*, 1064.

Harris, Lord
Education (England and Wales) Bill, *Com.*, *Nov. 6*, 308; *Nov. 7*, 451, 452.

Harris Tweed
Combination of Merchants to raise Prices—Ensuring share of Increase to Weavers, proposed.
Q. Mr. Fell; *A.* Sir H. Campbell-Bannerman, *Nov. 5*, 138.

Harwood, Mr. G. [Bolton]
Land Tenure Bill, *Con.*, *Nov. 7*, 638; *Nov. 14*, 1608.

Hay, Mr. C. G. D. [Shoreditch, Hoxton]
Corrupt Practices Act—Proceedings taken in Connection with General Election of 1906, *Nov. 8*, 752.
District Railway Company, Fares charged by—Deputation from East Ham, etc., *Nov. 7*, 548.
Gipsies, Alien, wandering throughout Great Britain, Return of Expenses of Local Authorities in dealing with, proposed, *Nov. 5*, 123, 124.
Liverpool Victoria Legal Friendly Society, Conversion of, into Limited Liability Company, *Nov. 6*, 335.
Soldiers
Civil Employment on Discharge—Number employed in Government Departments, *Nov. 8*, 732.
Incurably disabled, Maintenance of—Reason for Discharge of Invalids from Netley, *Nov. 5*, 110; *Nov. 8*, 842.
Strangers, Espial of—Procedure under Standing Order 273, *Nov. 6*, 251, 252.
Workhouses, Soldiers in—Claim on Pensions, etc., *Nov. 12*, 1034.

Hayes Estate
Armstrong, Elizabeth, Case of.
Q. Mr. MacVeigh; *A.* Mr. Bryce, *Nov. 12*, 1009.

Nov. 5—Nov. 14.

Hazell, Dr. A. E. W. [West Bromwich]
Calcutta—Educational Appointments of Mr. Candler, Mr. J. A. Chapman, etc., *Nov. 7,* 524, 526.

Heaton, Mr. J. H. [Canterbury]
Post Office—Correspondence with Foreign Countries in 1875 and 1905, *Nov. 14,* 1458.
Wireless Telegraphy Conference at Berlin—Instructions to British Delegates, *Nov. 5,* 98.

Hedges, Mr. A. J. [Kent, Tonbridge]
Teachers' Superannuation Act Contributions—Account paid to, etc., *Nov. 6,* 314.

Helmsley, Lord [Yorks, N.R., Thirsk]
Land Tenure Bill, *Con., Nov. 6,* 368–371, 398, 425, 436; *Nov. 7,* 611, 637; *Nov. 12,* 1202–1204, 1211, 1212, 1248, 1256; *Nov. 13,* 1331–1333; *Nov. 14,* 1546–1548.

Heneage, Lord
Education (England and Wales) Bill, *Com., Nov. 5,* 13, 30, 35; *Nov. 6,* 262; *Nov. 7,* 460; *Nov. 8,* 663, 673, 702.

Henderson, Mr. A. [Durham, Barnard Castle]
Land Tenure Bill, *Con., Nov. 6,* 371–373; *Nov. 14,* 1606.
Woolwich Arsenal Discharges, *Nov. 6,* 322.

Henderson, Mr. J. McD. [Aberdeenshire, W.]
Land Tenure Bill, *Con., Nov. 6,* 436.

Henry, Mr. C. S. [Shropshire, Wellington]
Magistrates, Procedure in Appointing, *Nov. 6,* 349.

Herbert, Col. [Monmouthshire, S.]
Army Pensions—Case of Private E. Pearce, *Nov. 12,* 1037.

Herbert, Mr. T. A. [Bucks, Wycombe]
Land Tenure Bill, *Con., Nov. 7,* 578, 579, 587, 616.
Trade Disputes Bill, *Con., Nov. 5,* 208.

Hereford, Bishop of
Education (England and Wales) Bill, *Com., Nov. 5,* 34, 67–70; *Nov. 6,* 262, 293–295; *Nov. 7,* 457, 461, 466; *Nov. 8,* 690; *Nov. 12,* 925–929; *Nov. 14,* 1416.

Herries, Lord
Education (England and Wales) Bill, *Com., Nov. 7,* 471.

Hervey, Capt. F. W. F. [Bury St. Edmunds]
Navy
Annual Return of Fleets, Particulars shown in, *Nov. 8,* 730, 731.
Battleships with Unarmoured Ends, Dangers of, *Nov. 8,* 727.

Hervey, Capt. F. W. F.—*cont.*
Navy—*cont.*
Redistribution Scheme — Effect on Number of Men in Barracks, etc., *Nov. 8,* 729, 730.

Higham, Mr. J. S. [Yorkshire, W.R., Sowerby]
Congo Free State.
Belgian Inquiry, Publication of Report of, *Nov. 12,* 1055.
Lopori-Marringa Territory, Position in—Publication of Reports of Consuls Mackie and Nightingale, etc., *Nov. 13,* 1288, 1289.
War Office Contracts, Allocation of, *Nov. 8,* 735.

Hill, Sir C. L. [Shrewsbury]
Education (England and Wales) Bill—Payment of Additional Grant of £1,000,000, *Nov. 6,* 314.

Hills, Mr. J. W. [Durham]
Land Tenure Bill, *Con., Nov. 14,* 1533.

Hobart, Sir R. [Hants, New Forest]
Land Tenure Bill, *Con., Nov. 12,* 1110.

Hobhouse, Mr. C. E. H. [Bristol, E.]
Ecclesiastical Commissioners—Information as to Tenancy Holdings, *Nov. 13,* 1278.

Hogan, Mr. M. [Tipperary, N.]
Armagh, Proposals for Appointing Magistrate to, *Nov. 6,* 344.

Hollesley Bay
Labour Colony—Authority for sending Men to London to Vote at Municipal Elections.
Qs. Mr. Fell; *As.* Mr. Burns, *Nov. 7,* 545; *Nov. 12,* 1001.
Qs. Mr. Bridgeman, Mr. T. L. Corbett, Mr. J. Ward, Mr. W. Long, Viscount Turnour, Mr. A. Chamberlain; *As.* Sir J. Walton, Mr. Burns, *Nov. 13,* 1294–1296.

Home Office
Secretary of State—Rt. Hon. H. Gladstone.
Under-Secretary—Mr. H. Samuel.

Hooper, Mr. A. G. [Dudley]
Chain Contracts of Admiralty and War Office—Procedure in Obtaining Forms of Tender, *Nov. 6,* 319.
Docks, Wharves and Quays—Accidents during 1905, caused by Lifting-Tackle, *Nov. 7,* 539.

Hope, Mr. W. H. B. [Somerset, N.]
Midwives, Training of—Legislation to enable County Councils to make Grants, Proposed, *Nov. 12,* 1022.

Horridge, Mr. T. G. [Manchester, E.]
Trade Disputes Bill, *Con., Nov. 5,* 209.

House of Commons
See under Parliament.

House of Lords
See under Parliament.

Hudson, Mr. W. [Newcastle-on-Tyne]
Railways
Midland Company, Practice of Placing Untrained Men in charge of Goods Trains, *Nov. 7*, 522.
Third Class Season Tickets, Issue of, proposed, *Nov. 12*, 1003.

Hunt, Mr. R. [Shropshire, Ludlow]
Fishery Cruisers, Work of, *Nov. 13*, 1301.
Land Tenure Bill, *Con.*, *Nov. 6*, 384; *Nov. 12*, 1177, 1178, 1213, 1250, 1256; *Nov. 13*, 1377, 1378.
"Montagu" Salvage Operations, Replacing Sailors' Clothing worn out during, *Nov. 13*, 1281.

Huntly, Marquess of
Education (England and Wales) Bill, *Com.*, *Nov. 6*, 307.

Hylton, Lord
Education (England and Wales) Bill, *Com.* *Nov. 14*, 1425.

Imperial Institute
Subscribers, Consultation of, as to Devotion of Portion of Building to Purposes of London University.
Q. Mr. H. Cox; *A.* Mr. Kearley, *Nov. 7*, 521.
Q. Mr. H. Cox; *A.* Mr. Morley, *Nov. 14*, 1476, 1477.

Income Tax
Amount Paid last Ten Years in respect of Incomes insufficiently Assessed and as Conscience Money.
Q. Mr. Sears; *A.* Mr. Asquith, *Nov. 7*, 520.
Assessment Appeals (1904–5) Return as to, proposed.
Q. Mr. Sears; *A.* Mr. Asquith, *Nov. 12*, 1025.
Returns, Proposals for Preserving Confidential Nature of.
Q. Mr. Fetherstonhaugh; *A.* Mr. McKenna, *Nov. 14*, 1475, 1476.

India
Alipura—Proceedings against Mr. Jack for Arrest of Ryots.
Q. Mr. Weir; *A.* Mr. Morley, *Nov. 8*, 724.
Army Redistribution Scheme—Decision as to Torseppah, Nowshera and Hoti Murdan.
Qs. Sir H. Cotton; *As.* Mr. Morley, *Nov. 5*, 89, 112.

India—*cont.*
Bengal
Fuller, Sir J. B., Resignation of—Statement Presented, *Nov. 12*, 918, 999.
Partition of
Parliamentary Discussion, Opportunity for.
Q. Mr. C. J. O'Donnell; *A.* Mr. Morley, *Nov. 6*, 323, 324.
Re-opening Question, proposed—State of Local Opinion, etc.
Qs. Mr. Rees, Mr. Lupton; *As.* Mr. Speaker, Mr. Morley, *Nov. 6*, 323–325.
Bikanir—Reply to Memorial from Imprisoned Nobles.
Q. Dr. Rutherford; *A.* Mr. Morley, *Nov. 7*, 523, 524.
Calcutta—Educational Appointments of Mr. Candler, Mr. J. A. Chapman, etc.
Qs. Dr. Hazel; *As.* Mr. Morley, *Nov. 7*, 524–526.
Civil Service
Examination of Indian Candidates in India, proposed.
Q. Mr. Chiozza Money; *A.* Mr. Morley, *Nov. 8*, 723.
Rules as to Overstaying Leave—Assimilating to Military Practice proposed.
Q. Sir S. King; *A.* Mr. Morley, *Nov. 14*, 1477.
Darjeeling—Arrest of Murderers of Mr. Goss.
Q. Mr. Rees; *A.* Mr. Morley, *Nov. 12*, 1026.
Delhi Municipality—Circumstances of Appointment of Mr. Addison as Secretary.
Q. Mr. Weir; *A.* Mr. Morley, *Nov. 8*, 724.
Excise Administration Committee Report, Information given in, and Proposals for Tabling.
Qs. Mr. H. Roberts; *As.* Mr. Morley, *Nov. 6*, 322, 323.
Judicial and Executive Functions, Separation of.
Qs. Mr. T. H. Davies; *As.* Mr. Morley, *Nov. 5*, 89, 111, 112.
Madura District, Division of—Supplying Information Locally as to Proposals.
Q. Dr. Rutherford; *A.* Mr. J. Ellis, *Nov. 13*, 1286, 1287.
Seditious Circulars and Speeches, Proposals for dealing with.
Qs. Mr. Rees; *As.* Mr. Morley, *Nov. 5*, 88, 110, 111.

India Office
Secretary of State—Rt. Hon. J. Morley.
Under Secretary—Rt. Hon. J. E. Ellis.

Indian Mutiny
Veterans, Pensions of.
Q. Sir G. Doughty; *A.* Mr. Haldane, *Nov. 8*, 736.

Inebriates Acts
Report of Inspector (1905) Presented, *Nov. 12*, 918, 999.

Innishlyre
Harbour Works—Return as to Correspondence, proposed.
Q. Dr. Ambrose; *A.* Mr. Bryce, *Nov. 9*, 855.

Insurance
Children, *see that title.*

Ireland
Chief Secretary—Rt. Hon. J. Bryce.
Lord-Lieutenant—Earl of Aberdeen.
Attorney-General—Rt. Hon. R. R. Cherry.
Solicitor-General—Mr. R. Barry.
See also Names of Places.
Banking Railway and Shipping Statistics—Report Presented, *Nov. 12*, 918, 998.
Constabulary, Royal Irish, *see that title.*
Crown and Quit Rents, Amount and Allocation of.
Q. Mr. Field; *A.* Mr. McKenna, *Nov. 5*, 102.
Education, *see title* Education—Ireland.
Evictions
Grants to Evicted Tenants, proposed.
Q. Mr. Lonsdale; *A.* Mr. Bryce, *Nov. 12*, 1014.
Reinstatement, Applications for and Cost of.
Qs. Mr. Lonsdale, Mr. Ginnell; *As.* Mr. Bryce, *Nov. 7*, 559, 560.
Return for September—Cause for Notices given.
Q. Mr. James O'Connor; *A.* Mr. Bryce, *Nov. 6*, 346, 347.
Floods, Proposals for Prevention of, in the North.
Qs. Mr. J. O'Connor, Mr. Delany; *As.* Mr. Bryce, *Nov. 8*, 756, 757.
Land Act, Land Commission, Land Judges Court, Land Purchase, *see those titles.*
Munster—Connaught Exhibition, Exclusion of British Flag from, etc.
Q. Captain Craig; *A.* Mr. Bryce, *Nov. 5*, 91.
Policy of the Government as to Legislation next Session.
Qs. Mr. Lonsdale; *As.* Sir H. Campbell-Bannerman, *Nov. 8*, 760, 761.
Q. Mr. Fetherstonhaugh; *A.* Sir H. Campbell-Bannerman, *Nov. 12*, 1029.

Ireland—*cont.*
Public Trustee, Salary of—Amount placed with for Investment, etc.
Q. Mr. O'Dowd; *A.* Mr. Bryce, *Nov. 13*, 1308.

Irvinestown
Reinstatement Claim of Mrs. L. Guinn.
Q. Mr. Fetherstonhaugh; *A.* Mr. Bryce, *Nov. 6*, 315, 316.

Isaacs, Mr. R. D. [Reading]
Trade Disputes Bill, *Con.*, *Nov. 5*, 182–186, 229, 230, 231.

Italy
Triple Alliance, Position in relation to.
Q. Mr. Lonsdale; *A.* Mr. Runciman, *Nov. 12*, 1055.

Jardine, Sir J. [Roxburghshire]
Ceylon Company of Pearl Fishers, Dividend paid by, *Nov. 14*, 1491.

Jenkins, Mr. J. [Chatham]
Chatham
Building of Battleship at, proposed, *Nov. 12*, 1032.
Skilled Labourers employed on ordinary Work, Wages paid, etc., *Nov. 5*, 105, 106.
Obsolete Vessels—Breaking up in Dockyards, proposed, *Nov. 14*, 1482.
Trade, Board of—Conditions of Employment of Tapeholders, *Nov. 14*, 1493.

Jersey, Earl of
Education (England and Wales) Bill, *Com. Nov. 5*, 54; *Nov. 6*, 242, 261, 279–281.
Marshall Islands—Reply of German Government as to Claim of Messrs. Burns, Philp & Co., *Nov. 14*, 1382.

Johnson, Mr. W. [Warwickshire, Nuneaton]
Gipsies, Alien—Reports as to Conflict between Warwickshire and Leicestershire Police, etc., *Nov. 14*, 1475.

Jones, Sir D. B. [Swansea District]
Straits Settlements Currency, Cause for Order as to, *Nov. 12*, 1043.

Jones, Mr. L. [Westmoreland, Appleby]
Infant Life Insurance, Proposals for Regulation of, *Nov. 8*, 746.
Land Tenure Bill, *Con.*, *Nov. 6*, 409, 410, 412; *Nov. 12*, 1227; *Nov. 14*, 1554, 1555, 1566, 1603, 1607.
Malton Workhouse—Case of Tasker Family, *Nov. 5*, 128, 129.

Jowett, Mr. F. W [Bradford, W.]
Longtown Poor Law Guardians and Application of Aged Widow for Relief, *Nov. 14*, 1480.

Joyce, Mr. M. [Limerick]
- Boston Port new By-law as to Pilotage Rates, *Nov. 14*, 1493, 1494.
- Limerick Fishery Board
  - Constitution of, *Nov. 13*, 1307.
  - Name of Auditor, *Nov. 14*, 1507.

Judicial Statistics
- Date of publishing Statistics for 1905. *Q.* Mr. Bottomley; *A.* Mr. Gladstone, *Nov. 8*, 746.

Juvenile Offenders
- Committals to Prison for Non-payment of Fines—Original Offences committed. *Q.* Mr. Wedgwood; *A.* Mr. Gladstone, *Nov. 8*, 723.

Kanturk
- Cabinet-making Instruction, Encouragement of Scheme for. *Qs.* Mr. Flynn; *As.* Mr. Bryce, *Nov. 14*, 1503, 1504.

Kearley, Mr. H. E. —*Parliamentary Secretary Board of Trade* [Devonport]
- Abbeyfeale Fair—Complaints as to Insufficient Supply of Railway Wagons, *Nov. 7*, 571.
- Brixham Trawling Ketch "J.E.S.S.," Damage done to, by French Trawler, *Nov. 5*, 130.
- Cotton, Sewing—Allegations as to Combination of Companies, etc., *Nov. 7*, 547.
- Imperial Institute Subscribers, Consultation of, as to Devotion of Portion of Building to Purposes of London University, *Nov. 7*, 521.
- Life Insurance Companies, Money accruing to, from Failure to keep up Payments—Legislation to enforce Return of Portion, proposed, *Nov. 5*, 130.
- Railways
  - District Company, Fares charged by, etc., *Nov. 7*, 548.
  - Ireland
    - Cavan and Leitrim—Proposals as to Flag Stations, *Nov. 13*, 1310.
    - Great Southern and Western—Second Class Accommodation between Limerick and Tralee, *Nov. 7*, 533.
  - Midland Company, Practice of placing Untrained Men in Charge of Goods Trains, *Nov. 7*, 522.
  - Third-class Sleeping Carriages, Decision as to, *Nov. 5*, 129; *Nov. 13*, 1292, 1293.
- Trade Union Out-of-work Benefits, Proposals for Encouraging, *Nov. 7*, 522.

Kekewich, Sir G. W. [Exeter]
- Secondary Schools, Grants to, *Nov. 13*, 1296, 1298.
- Vivisection—Expediting Publication of Report on Illegal Experiments, proposed, *Nov. 13*, 1291.
- Watford Grammar School Scheme, Provisions of, and Decision as to, *Nov. 13*, 1297.

Kenmare
- Hogan, Case of—Decision as to Prosecution. *Q.* Mr. Boland; *A.* Mr. Bryce, *Nov. 7*, 562.

Kenmare Estate
- Reinstatement Claim of D. O'Shea. *Q.* Mr. Murphy; *A.* Mr. Bryce, *Nov. 5*, 89, 90.

Kennedy, Mr. V. P. [Cavan, W.]
- Bawnboy Union, Distress in—Reply to Memorial from Ratepayers, etc., *Nov. 6*, 344.
- Cavan Evicted Tenants, Inquiries into Cases of, *Nov. 8*, 753.
- Fermanagh Revision Sessions, Complaints as to, *Nov. 13*, 1306.
- House of Commons—Post Office in Lobby—Cards for Members, not sent by Post, placing with Letters, proposed, *Nov. 6*, 332.
- Land Commission, Regulations as to vesting Sporting Rights, *Nov. 14*, 1513.
- Land Purchase—Sales pending in October, *Nov. 13*, 1306.
- National School Teachers' Grievances, Proposals for Remedying, *Nov. 8*, 753.
- Railways and Canals, Proposals for improving Administration of, *Nov. 14*, 1513.
- War Office, Paymaster's Department, Method of Examining Accounts in, *Nov. 5*, 107.

Kenyon, Lord
- Education (England and Wales) Bill, *Com.*, *Nov. 6*, 241, 242, 268.

Kenyon-Slaney, Col. [Shropshire, Newport]
- Land Tenure Bill, *Con.*, *Nov. 6*, 364–366, 397, 415, 435; *Nov. 7*, 614, 619–622, 635; *Nov. 8*, 786, 791, 801, 809; *Nov. 12*, 1085, 1092, 1098, 1129–1132, 1168–1170, 1188, 1189, 1204, 1213, 1235, 1239, 1248, 1254, 1255; *Nov. 13*, 1330, 1331, 1351–1354, 1376; *Nov. 14*, 1560, 1565, 1577.

Kilbride, Mr. D. [Kildare, S.]
- Plunketstown—Case of Garret Stynes, *Nov. 5*, 104.

Kildare
- School Accommodation in Diocese of Kildare and Leighlin. *Q.* Mr. J. O'Connor; *A.* Mr. Bryce, *Nov. 5*, 90, 91.

Kilgarvan
Postal Facilities, Improvement of, proposed.
Qs. Mr. Boland; *As.* Mr. Buxton, *Nov. 6*, 348, 349.

Killarney
Quarter Sessions—Claims for Malicious Injury.
Qs. Mr. C. Craig, Mr. Murphy; *As.* Mr. Bryce, *Nov. 7*, 568, 569.

Kiltyclogher
Distress, Proposals for Relief of.
Q. Mr. Dolan; *A.* Mr. Bryce, *Nov. 12*, 1013.

King, Mr. A. J. [Cheshire, Knutsford]
Knutsford School Attendance Officer, J. Wheeler, Payment of Sum due to Widow of, *Nov. 7*, 546.

King, Sir H. S. [Hull, Central]
Burma Police Force—Effect of Transfers of Officers, etc., *Nov. 12*, 1026.
Indian Civil Rules as to Overstaying Leave—Assimulating to Military Practice proposed, *Nov. 14*, 1477.

Knutsford
School Attendance Officer J. Wheeler, Payment of Sum due to Widow of.
Q. Mr. King; *A.* Mr. Burns, *Nov. 7*, 546.

Labourers' Cottages, Ireland
[*For particular Places, see their names.*]

Labourers (Ireland) Acts
General Rules, Presented, *Nov. 12*, 918, 999.
Land acquired under, Powers of District Councils as to Temporary Letting of.
Qs. Mr. Ginnell; *As.* Mr. Bryce, *Nov. 14*, 1504, 1505.

Ladybower
Navvy Settlement, School Accommodation for.
Q. Mr. J. Ward; *A.* Mr. Birrell, *ov. 7*, 552.

Lagos
Report, Annual, Presented, *Nov. 5*, 82.
Town Improvement Scheme, Persons dishoused by—Reply to Petition from Hausa Population, etc.
Q. Mr. K. Hardie; *A.* Mr. Churchill, *Nov. 6*, 311, 312.

Laidlaw, Mr. R. [Renfrewshire, E.]
Federated Malay States, Gaming Licences in—Information given in Report, *Nov. 5*, 114.

Lamb, Mr. E. H. [Rochester]
Land Tenure Bill, *Con.*, *Nov. 14*, 1587, 1588.

Lambert, Mr. G.—*Lord of the Admiralty* [Devon, S. Molton]
Land Tenure Bill, *Con.*, *Nov. 6*, 434; *Nov. 7*, 636; *Nov. 8*, 809; *Nov. 12*, 1234, 1235, 1238, 1239, 1240, 1242, 1245, 1253, 1264; *Nov. 14*, 1530–1533, 1557, 1565.

Lambert Minors Estate
Rent Recovery, Proceedings on.
Q. Mr. Lonsdale; *A.* Mr. Bryce, *Nov. 12*, 1010.

Lambton, Mr. F. W. [Durham, S.E.]
Land Tenure Bill, *Con.*, *Nov. 6*, 435, *Nov. 7*, 603, 613; *Nov. 12*, 1231–1233.
Trade Disputes Bill, *Con.*, *Nov. 5*, 213, 219–222.

Lancaster, Duchy of
Chancellor—*Rt. Hon. Sir H. Fowler.*

Land Commission, Ireland
[For Particular Estates, *see their Names.*]
Mortgages, Powers as to, under Act of 1903.
Q. Captain Craig; *A.* Mr. Bryce, *Nov. 7*, 531.
Sporting Rights, Regulations as to Vesting.
Q. Mr. V. Kennedy; *A.* Mr. Bryce, *Nov. 14*, 1513.
Valuation of Land—Effect of Depreciation in Agricultural Products, etc.
Q. Mr. Ginnell; *A.* Mr. Bryce, *Nov. 13*, 1304.

Land Judges Court
Estates refused by Estates Commissioners to Purchase.
Q. Mr. Ginnell; *A.* Mr. Bryce, *Nov. 6*, 311.

Land Purchase, Ireland
See also Names of Estates, etc.
Advances—Return Presented, *Nov. 5*, 3, 82.
Company-owned Estates, proposals as to,
Q. Mr. Ginnell; *A.* Mr. Bryce. *Nov. 14*, 1505, 1506.
Middlemen, Position of, under Act of 1903,
Q. Mr. J. O'Kelly; *A.* Mr. Bryce. *Nov. 5*, 92, 93.
October, Sales pending in.
Qs. Mr. V. Kennedy; *As.* Mr. Bryce, *Nov. 13*, 1306.
Prices
Amendment of Act to prevent Payment of Excessive Prices, proposed.
Q. Mr. Ginnell; *A.* Sir H. Campbell Bannerman, *Nov. 7*, 569.
Effect of Act of 1903 upon.
Q. Mr. Ginnell; *A.* Mr. McKenna *Nov. 7*, 569, 570.
Uneconomic Holdings, Policy as to.
Q. Mr. Ginnell; *A.* Mr. Bryce, *Nov. 13*, 1305.

Land Tenure Bill
c. *Con., Nov. 6*, 353; *Nov. 7*, 573; *Nov. 8*, 761; *Nov. 12*, 1071; *Nov. 13*, 1312; *Nov. 14*, 1519.
Clause 8—Cost of making Records of Farms.
Q. Mr. Partington; *A.* Sir E. Strachey, *Nov. 8*, 751, 752.
Debates on Consideration [Commons], *Nov. 6*, 353; *Nov. 7*, 573; *Nov. 8*, 761; *Nov. 12*, 1071; *Nov. 13*, 1312; *Nov. 14*, 1519.
All-night Sitting, Objections to—Adjournment of Debate, proposed, 1167, 1168, 1206–1220, 1260–1263.
Arable Land, laying down as Permanent Pasture, Provisions as to, 1235–1237.
Arbitration, Provisions as to, 393.
Neither Party shall be Represented by Counsel or Solicitor, unless Claim exceeds the Sum of £50, proposed, 403–416.
Regard to be had to any Arrangements existing at Time of passing of Act between Owner and Occupier under which Damage by Game has been taken into consideration, proposed, 762–774.
Simplifying Procedure and Cost of, proposed, 403–416, 1340, 1341.
Breach of Contract as to Existing Tenancies, Provisions as to, 419, 422, 574, 577, 580, 581, 583, 585, 589, 594, 769, 770.
Cabinet Minister, Absence of during Debates, 584, 594, 1161, 1162, 1166, 1170, 1212, 1213, 1218.
Clause 2
In page 2, line 5, after word "Tenant" to insert words "Under any Contract of Tenancy made after Passing of the Act," proposed, 433–436, 573–598.
Ireland—Operation in, 576 577.
Omission of, proposed, 419–432.
Clause 3, Omission of, proposed, 1119, 1120.
Clause 4
Application to Future Tenancies only, proposed, 1200–1205, 1223–1228.
Omission of, proposed, 1120–1159, 1165, 1173–1178.
Clause 5
In page 3, line 17, to leave out words "or refuses to grant a renewal of," 1359–1362.

Land Tenure Bill—*cont.*
Debates on Consideration—*cont.*
Clause 5—*cont.*
In page 3, to leave out lines 27, 28, and 29, and insert words "any matter under this Section," 1566.
Omission of, proposed, 1312–1348.
Clause 6, Omission of, proposed, 1576–1578.
Clause 7
Government attitude towards, 1579–1584, 1599–1601, 1605–1608.
Omission of, proposed, 1579–1585.
Compensation for unreasonable disturbance, Provisions as to, 1312–1348.
Any compensation paid under this Section by the Landlord, may be repaid to him by the Trustees of the Settlement out of Capital Monies in their hands, proposed, 1574–1576.
Differences as to, to be settled in County Court instead of by Arbitration, proposed, 1566–1574.
For a reason other than would be looked upon as usual and proper on a well-managed Estate, proposed, 1320, 1321, 1325, 1330, 1354–1359.
For Expense which Tenant sustains by reason of quitting Holding, etc., 1534–1548.
For Loss or Expense which Tenant by reason of quitting Holding sustains in Connection with Sale or Removal of Goods, etc. 1363, 1365–1380, 1519–1534.
Method of determining by Arbitrator, etc., 1524–1536, 1542, 1546.
Omission of all words after "incurs," proposed, 1554–1556.
Omission of words "sale or," proposed, 1556–1562.
Omission of words "sustains or," proposed, 1551–1554.
Immoral Conduct amounting to a public scandal, Right of Landlord to Dispossess Tenant, 1355, 1358, 1359.
In Addition to the Compensation if any, to which he may be entitled in respect of Improvements, notwithstanding any Agreement to the Contrary, 1363, 1364.

[*cont.*

Land Tenure Bill—*cont.*
- Debates on Consideration—*cont.*
  - Compensation—*cont.*
    - " Loss," Definition of, 1323.
    - *Onus* of Proof to rest with the Tenant, proposed, 1321, 1531.
    - Powers of Arbitrator as to question of Rent, 1323, 1338.
    - Scale which Compensation should not exceed, Insertion of, proposed, 1563–1566.
    - Where Landlord gave Tenant Two Year's Notice, he should be deemed to have acted reasonably, 1562–1563.
    - Yearly Tenancies and Leasehold Tenancies for a Definite Term, Distinguishing between, proposed, 1359–1362.
  - Conduct of the Bill, Reasons for Starring by the Government, etc., 353–361, 363–382, 584, 588, 1159–1170, 1207–1220, 1324, 1606.
  - Continuous Good Farming in excess of standard of Good Husbandry to be included as an Improvement in Part III. of Schedule of Act of 1902, proposed, 1612–1615.
  - Cropping of Land by Tenant, Provisions as to, 1120–1159, 1173–1178.
    - " According to the Custom of the Country and in a reasonable manner," proposed, 1183–1198.
    - Application to Future Tenancies only, proposed, 1199–1205, 1223–1228.
    - Trees, Question as to, 1234, 1237.
  - Crops
    - Intimation to be given to Landlord of any change in method of Cultivation, proposed, 1251 1260.
    - Time for Removal of After Cutting—Three Days instead of a Week, proposed, 777, 778.
    - Vegetable Crops, Planting of, 1600–1605.
  - Deer, bringing within the Scope of the Bill, Question as to, 424, 425, 1093, 1094, 1103–1110.
    - New Forest, Position of Landowners and Tenants within Boundaries of, 1103, 1104, 1106, 1108, 1109, 1110, 1116, 1117.
  - Dual Ownership, Objections to System of, 382, 1127, 1128, 1314, 1328, 1332, 1333, 1336–1338, 1341, 1365, 1366, 1367, 1371, 1372.
  - Fruit-farming, Question as to, 1588, 1593–1596, 1602.

Land Tenure Bill—*cont.*
- Debates on Consideration—*cont.*
  - Game
    - Compensation for Damage done by Agreements made after the Damage has been suffered, Position of, 762.
      - Application of Provisions of Game Laws Amendment (Scotland) Act, 1877, to, proposed, 619–632, 1085.
      - Claiming from Person in whom the right to kill the Game may be vested, proposed, 635–639.
      - Crown, enforcing rights against, proposed, 1115–1119.
      - Deer escaped from Parks, Exclusion of, proposed, 1095–1100.
      - If Damage done exceeded 1s. per Acre, proposed, 639–642.
      - Inclusion of all Agreements which might deprive the Tenant of Compensation or limit it, proposed, 645–650.
      - Limiting to " Game reared reared on the Estate of the Landlord, proposed, 604–615.
      - Method of determining, 419–432, 573–598.
      - Neglect of Tenant to properly cultivate and protect Crops, Arbitrator to take into consideration, proposed, 797–804.
      - " Other than Damage by Hares and Rabbits to Moorlands and Unenclosed Lands," proposed, 603, 604.
      - Shooting Tenant
        - Arbitrator to be permitted to relieve from obligation to indemnity in certain Cases, proposed, 1081–1088.
        - Notice of Claim to be sent to, proposed, 807–812, 1082–1084.
        - Right to have the Amount of Compensation determined by Arbitration to which he is a Party, 1081–1088.
      - Tenants sustaining Damage where they have no lawful right to kill, compensation for, 615–618.

[*cont.*

Land Tenure Bill—*cont.*
- Debates on Consideration—*cont.*
  - Game—*cont.*
    - Compensation—*cont.*
      - Time for bringing in Claim, 633–635.
      - Trivial Damages not to be taken into account, proposed, 601–603.
      - "Under any contract of Tenancy made after passing of this Act, proposed, 1093–1094.
      - Where Landlord proves that under a Contract made before the Act, Compention is payable, Arbitrator to make deduction, proposed, 779–788.
      - Where payments or allowances have been made by Landlord in respect of such Damage, Arbitrator to make Deduction, proposed, 791–794.
    - Definition to include Deer, Pheasants, Partridges, Grouse and Black Game, proposed, 1091–1100, 1103–1110.
    - Nelson *v.* Farrar, Decision in Case of, 587, 628.
    - Over-preservation of, Objections to, 433–436, 573–576, 580, 587, 783, 784.
  - Hay, Straw, Roots and Manure grown during last year of Tenancy to be left for incoming Tenant, proposed, 1239–1242.
  - Housing of the Working Classes Committee, awaiting Report of, proposed, 361, 368.
  - Increase of Rent demanded from sitting Tenant as the result of Improvements effected at the cost of such Tenant, Compensation to be granted in event of Tenant quitting Holding, proposed, 1351–1354, 1363.
  - Notices under the Act to be in writing, proposed, 393–400.
  - Postponement of Measure, proposed, 361, 362, 366, 381, 384.
  - Record of Condition of Buildings, Fences, Roads, Drains, etc., to be made at commencement of Tenancy entered into after commencement of the Act, proposed, 1615.
  - Repairs to Buildings, Provisions as to, 1585–1587.
    - Notice in writing to be given to Landlord, 1611.
    - Tenant to give Estimate of Cost to Landlord, proposed, 1587, 1588.

Land Tenure Bill—*cont.*
- Debates on Consideration—*cont.*
  - Scotland
    - Exemption of, from Operation of the Act, proposed, 815, 816, 1071–1078, 1616–1618.
    - Leases in, Terms of granting, Effect of the Bill on, etc., 433, 573.
    - Opposition to the Measure in, 367, 373, 627.
  - Small Holdings Committee, awaiting Report of, proposed, 361, 363, 364, 368, 374, 381.
  - Sporting Rights, decreased Value of under the Bill, 621.
  - Tenant Farmers, Hardships entailed on by the Bill, 382–384, 1343, 1369.
  - Tenant to supply to Landlord a Statement of all Crops sold off or removed from Holding and of all Manures applied thereto, proposed, 1245–1250.
- Eleven o'clock Rule, Suspension of.
  - *Motion* [Sir H. Campbell-Bannerman], *Nov. 12*, 1068.
- Proposals as to taking.
  - *Os.* Sir H. Campbell-Bannerman, Mr. A. J. Balfour, Mr. A. Smith, *Nov. 5*, 140–142.

Land, Untenanted (Ireland)
- Purchase Proposals for, etc.
  - *Q.* Mr. Ginnell; *A.* Mr. Bryce, *Nov. 14*, 1505.
- Return, Date of Issue.
  - *Q.* Mr. Ginnell; *A.* Mr. Bryce, *Nov. 14*, 1514.

Landes Estate
- Reinstatement Claim of W. Malone and J. Geoghegan.
  - *Q.* Mr. Delany; *A.* Mr. Bryce, *Nov. 7*, 563.

Lane-Fox, Mr. G. [Yorks, W.R., Barkston Ash]
- Land Tenure Bill, *Con. Nov. 6*, 381–383; *Nov. 7*, 588, 629, 635; *Nov. 13*, 1119, 1120, 1139, 1140, 1195, 1211; *Nov. 13*, 1353, 1355, 1371; *Nov. 14*, 1579, 1580.
- Religious Instruction—Obligation of Local Authority to provide Bibles, etc., *Nov. 8*, 749, 750.

Lansdowne, Marquess of
- Africa, South—Land Settlement Schemes, Protection of Interests of British Colonists, etc., *Nov. 14*, 1408–1411.
- Education (England and Wales) Bill, *Com.*, *Nov. 5*, 16, 24, 50, 75–77; *Nov. 6*, 242, 248, 255, 271, 308; *Nov. 7*, 449–452, 465, 473, 474, 499, 501; *Nov. 8*, 658, 659, 676–678, 715, 716; *Nov. 12*, 923, 938, 949, 986–991; *Nov. 14*, 1422, 1455, 1456.

[*cont.*

Lansdowne, Marquess of—*cont.*

Peers Sitting and Voting, without having Previously taken the Oath—Committee of Inquiry into, proposed, *Nov. 5*, 12.

Lauder Estate

Reinstatement Claim of T. McGarty.
Q. Mr. T. F. Smyth; *A.* Mr. Bryce, *Nov. 13*, 1302, 1303.

Law Courts

Edinburgh Courts, Proposals for Improving, *Qs.* Mr. C. E. Price; *As.* Mr. Runciman, *Nov. 14*, 1502.

King's Bench Division, Cases tried in—Dealing with Cases of under £100 in County Courts, proposed.
Q. Mr. Bottomley; Sir J. Walton, *Nov. 8*, 752.

Poor Litigants, Appointment of Solicitors to Advise, etc., proposed.
Q. Mr. Alden; *A.* Sir J. Walton, *Nov. 7*, 522, 523.

Layland-Barratt, Mr. F. [Devon, Torquay]

Brixham Trawling Ketch, "J.E.S.S.," Damage done to, by French Trawler, *Nov. 5*, 130.

"Lebanon"

Loss of—Proposals as to Inquiry.
Q. Mr. H. Wilson; *A.* Mr. Lloyd-George, *Nov. 14*, 1471, 1472.

Leese, Sir J. F. [Lancashire, N. E. Accrington]

Business of the House, Course of, *Nov. 5*, 140.

Trade Disputes Bill, *Con.*, *Nov. 5*, 229.

Lehmann, Mr. R. C. [Leicester, Market Harborough]

Business of the House—Effect of Postponement of Motion for Adjournment, *Nov. 14*, 1518, 1519.

Transvaal—Chinese Labourers, Charges of Immorality, Report of Mr. Buchnill, *Nov. 14*, 1485.

Lewis, Island of

Aignish Settlement, Defects in, and Person Responsible for.
Qs. Mr. Weir, Mr. Morton; *As.* Mr. Sinclair, *Nov. 5*, 133–135.
Q. Mr. Morton; *A.* Mr. Sinclair, *Nov. 14*, 1498.

Children, Underfed, proposals for bettering condition of.
Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 5*, 137.

Dittmar's, Dr., Report, Printing of, proposed.
Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 13*, 1300.

Lewis, Island of—*cont.*

Equivalent Grant, Proposals for Expenditure of.
Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 5*, 136.

Migration of Cottars to Mainland, proposals for Facilitating, etc.
Qs. Mr. Weir; *As.* Mr. Sinclair, *Nov. 6*, 338.

Sanitary Condition of.
Dittmar's, Dr., Report, Tabling of, proposed—Decision as to adopting Recommendation, etc.
Qs. Mr. Weir; *As.* Mr. Sinclair, *Nov. 6*, 337, 338, 339.

Proposals for improving.
Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 7*, 558.

School Water Supply, proposals for Improving.
Qs. Mr. Weir, Mr. Morton; *As.* Mr. Sinclair, *Nov. 13*, 1298, 1299.

Stornoway

Inspector of the Poor, Duties of.
Q. Mr. Morton; *A.* Mr. Sinclair, *Nov. 14*, 1501.

Murray's Close, Condition of.
Q. Mr. Morton; *A.* Mr. Sinclair, *Nov. 14*, 1501.

Sanitary Condition, proposals for Improving.
Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 6*, 339, 340.

Trawling, Illegal — Cases Reported by Lightkeepers at Tiumpan Head.
Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 13*, 1299, 1300.

Liddell, Mr. H. [Down, W.]

Scarva—Shooting of Mr. Martin's Horse, Police Efforts to Discover Offenders *Nov. 12*, 1010.

Life Insurance Companies

Money accruing from failure to keep up Payment of Premiums—Legislation to enforce return of portion to assured, proposed.
Q. Mr. Myer; *A.* Mr. Kearley, *Nov. 5*, 130.

Limerick

Fishery Board

Constitution of.
Q. Mr. Joyce; *A.* Mr. Bryce, *Nov. 13*, 1307.

Name of Auditor.
Qs. Mr. Joyce; *As.* Mr. Bryce, *Nov. 14*, 1507.

Lismore

Sanitary Sub-Officer—Reason for Refusal of Sanction to Appointment of Mr. Murphy.
Q. Mr. O'Shee; *A.* Mr. Bryce, *Nov. 6*, 316.

Liverpool Victoria Legal Friendly Society
- Limited Liability Company, proposed Conversion into—Decision as to revoking Registry, etc.
  - *Qs.* Mr. Nannetti, Sir H. Vincent, Mr. Snowden; *A.* Mr. McKenna, *Nov. 5*, 121, 122.
  - *Qs.* Mr. Sloan, Mr. Tomkinson; *A.* Mr. McKenna, *Nov. 6*, 312, 313.
  - *Q.* Mr. C. Hay; *A.* Mr. McKenna, *Nov. 6*, 335, 336.

Llandaff, Viscount
- Education (England and Wales) Bill, *Com.*, *Nov. 5*, 44, 53, 54; *Nov. 6*, 261, 281–283, 285–288; *Nov. 7*, 461, 467, 469, 470, 475, 495–498, 500, 502, 503–505; *Nov. 8*, 663, 668, 672, 682, 683, 686; *Nov. 12*, 921–923, 930, 939, 943–946, 948, 949; *Nov. 14*, 1426, 1427.

Lloyd-George, Rt. Hon. D.—*President of the Board of Trade* [Carnarvon, etc.]
- Abbeyfeale Markets, etc.—Inadequate Provision of Railway Wagons for Stock, Alleged, *Nov. 12*, 1004.
- "Baron Huntly," "Lebanon," and "Manningtree," Loss of—Proposals as to Inquiry, *Nov*, *14*, 1472.
- Boston Port, New By-law as to Pilotage Rates, *Nov. 14*, 1494.
- Cocoa Imports into Great Britain, during past Ten Years, *Nov. 12*, 1022.
- Railways
  - Third-class Season Tickets, Issue of, proposed, *Nov. 12*, 1004.
  - Third-class Sleeping Accommodation, Provision of, *Nov. 12*, 1007.
  - Workmen's Trains, Amendment of Cheap Trains Act, proposed, *Nov. 12*, 1003.
- Ryan, Loch—Alleged Obstruction to Shipping by Oyster Fishing Company, *Nov. 8*, 748.
- Soap Trust, Dangers of and Proposals for Protection of the Public, *Nov. 12*, 1003.
- Sugar
  - Beet 88 per cent. f.o.b. Hamburg—Average Price 1896–1906, *Nov. 12*, 1004.
  - Crop in 1901–2 and 1905–6, *Nov. 12*, 1004.
- Trade, Board of—Conditions of Employment of Tapeholders, *Nov. 14*, 1493.
- Trawlers, Foreign, Damage done to English Fishing Gear by, *Nov. 5*, 101.
- United States Import Duty on British Works of Art, *Nov. 14*, 1472.

Local Authorities (Qualifications of Women) Bill
- Proposals as to.
  - *Q.* Mr. H. Cox; *A.* Sir H. Campbell-Bannerman, *Nov. 14*, 1517.

Local Government Act, 1888
- Amendment as to Control of Expenditure, proposed.
  - *Q.* Mr. Rees; *A.* Mr. Burns, *Nov. 5*, 128.

Local Government Board
- *President*—Rt. Hon. J. Burns.
- *Parliamentary Secretary*—Mr. W. Runciman.
- New Offices, Grant Required for.
  - *Q.* Mr. T. L. Corbett; *A.* Mr. Runciman, *Nov. 13*, 1293.
- Report, Annual, Particulars given in.
  - *Q.* Mr. P. Pease; *A.* Mr. Burns, *Nov. 14*, 1473.

Local Government Board, Scotland
- Inspectors, Medical, Increase in Number of, proposed.
  - *Q.* Mr. Weir; *A.* Mr. Sinclair, *Nov. 6*, 339.
- Vote—Subhead B, Showing Subsistence Allowances of Inspectors in Detail, proposed.
  - *Qs.* Mr. Weir; *As.* Mr. Sinclair, *Nov. 5*, 135.

Local Taxation
- *See under* Taxation.

Lockwood, Lt.-Col. A. [Essex, Epping]
- Land Tenure Bill, *Con.*, *Nov. 8*, 764, 779, 792, 798; *Nov. 12*, 1104, 1106, 1126–1128, 1237, 1240, 1247; *Nov. 13*, 1339.
- Nigeria
  - Civil Servants, Allowances to, *Nov. 12*, 1047, 1048.
  - Cost of Living in, etc., *Nov. 12*, 1045, 1047.
  - House Accommodation for Officers, *Nov. 12*, 1048.

London, Bishop of
- Education (England and Wales) Bill, *Com.*, *Nov. 5*, 46; *Nov. 6*, 273; *Nov. 8* 713–715.

Londonderry, Marquess of
- Education (England and Wales) Bill, *Com.*, *Nov. 5*, 22, 55–59, 74; *Nov. 6*, 287; *Nov. 7*, 442, 459, 460, 472; *Nov. 8*, 685, 703–705, 708; *Nov. 12*, 946, 947, 969–973, 985; *Nov. 14*, 1418, 1419, 1421, 1444.

Long, Mr. W. H. [Dublin, S.]
- Hollesley Bay Labourers Voting at London Municipal Elections, *Nov. 13*, 1295.
- Land Tenure Bill, *Con. Nov. 12*, 1083–1085, 1097, 1106, 1125, 1135–1138, 1149, 1166, 1186–1188, 1194, 1195, 1215, 1234, 1235, 1237, 1240, 1257; *Nov. 13*, 1318–1320, 1356–1358, 1360, 1361, 1364, 1369, 1370, 1373–1375; *Nov. 14*, 1534, 1538–1540, 1542, 1559, 1572, 1575, 1584.

Long Vacation
Alteration in Date for Commencement of, proposed.
Q. Mr. H. J. Craig; *A.* Sir J. Walton, *Nov. 5*, 133.

Longford
Land Commission Sitting. Date of.
Q. Mr. Farrell; *A.* Mr. Bryce, *Nov. 14*, 1461.
Land Sales—Progress made with Inquiries.
Q. Mr. Farrell; *A.* Mr. Bryce, *Nov. 12*, 1012.
Petty Sessions Clerkship, Law Officers of the Crown consulted as to.
Q. Mr. Farrell; *A.* Mr. Bryce, *Nov. 13*, 1273, 1274.

Longtown
Poor Law Guardians—Out-Relief of Aged Widow.
Q. Mr. Jowett; *A.* Mr. Burns, *Nov. 14*, 1480, 1481.

Lonsdale, Mr. J. B. [Armagh, Mid.]
China
Board of Communications, Functions of, *Nov. 12*, 1055.
Yatung Customs Commissioners, Nationality of, *Nov. 12*, 1056.
Evictions
Applications for and Cost of Reinstatement, *Nov. 7*, 559, 560.
Grants to Evicted Tenants, proposed, *Nov. 12*, 1014.
Galway Election Disturbance—Conduct of Police, etc., *Nov. 7*, 567.
Irish Policy of the Government as to Legislation next Session, *Nov. 8*, 760, 761.
Italy—Triple Alliance, Position in relation to, *Nov. 12*, 1055.
Lambert Minors Estate, Rent Recovery Proceedings on, *Nov. 12*, 1010.
Loughrea Petty Sessions—Speech made by Mr. P. J. Kelly, *Nov. 8*, 756.
Morocco—Algeciras Act, Powers Ratifying, *Nov. 12*, 1055.
Newfoundland Fisheries—Statement alleged to have been made by Captain of H.M.S. "Brilliante," *Nov. 12*, 1050.
Unemployed Grant of £200,000, Allocation of, *Nov. 8*, 756.
United States Import Duty on British Works of Art, *Nov. 14*, 1472.

Lord-Advocate for Scotland
Rt. Hon. T. Shaw.

Lord Chamberlain
Viscount Althorp

Lord Chancellor
Lord Loreburn

Lord Chief Justice
Lord Alverstone

Lord Great Chamberlain
Marquess of Cholmondeley

Lord-Lieutenant of Ireland
Earl of Aberdeen

Lord President of the Council
Earl of Crewe

Lord Privy Seal
Marquess of Ripon

Lord Warden of the Duchy of Cornwall
Earl of Ducie

Lords-Lieutenant
Residence Qualification of Deputy-Lieutenants, etc.
Q. Mr. Bertram; *A.* Mr. Haldane, *Nov. 13*, 1280.

Lough, Mr. T.—*Parliamentary Secretary Board of Education* [Islington, W.]
Secondary Schools, Grants to, *Nov 13*, 1296, 1298.
Watford Grammar School Scheme, Provision of and Decision as to, *Nov. 13*, 1297, 1298.

Loughborough
Brush Company, Circumstances of granting Liquor Licence to.
Q. Mr. T. F. Richards; *As.* Mr. Gladstone, *Nov. 5*, 126; *Nov. 8*, 742; *Nov. 14*, 1463, 1464.

Loughrea
Petty Sessions—Speech made by Mr. P. J. Kelly.
Q. Mr. Lonsdale; *A.* Mr. Bryce, *Nov. 8*, 756.
Q. Mr. T. L. Corbett; *A.* Mr. Bryce, *Nov. 14*, 1511, 1512.

Lovat, Lord
Africa, South—Land Settlement in
Land Board, Establishment of, proposed, *Nov. 14*, 1386, 1387.
Ridgway Commission Report—Tabling, proposed, *Nov. 14*, 1383, 1412.
Status of Settlers, Steps taken to safeguard Interests of, etc., *Nov. 14*, 1382–1388.

Lowe, Sir F. W. [Birmingham, Edgbaston]
Strangers, Espial of—Procedure under Standing Order 91, *Nov. 6*, 351.
Trade Disputes Bill, *Con., Nov. 5*, 224.

Lowther, Rt. Hon. J. W. [Cumberland, Penrith]
See Speaker.

Lunacy

Rules made by Commissioners, 1906, Presented, *Nov. 6*, 241, 310.

Lundon, Mr. W. [Limerick, E.]

Cooper Estate—Cases of J. McGrath and T. Barry, *Nov. 6*, 343.

Coote and Dicken Estates—Purchase of Untenanted Land, proposed, *Nov. 6*, 342.

Croker Estate—Reinstatement claim of Mr. Power, *Nov. 7*, 563.

Delmege Estate, Sale Proposals for, *Nov. 6*, 343.

Dunraven Estate Evicted Tenants—Case of T. Drew, *Nov. 8*, 755.

Fermoy, Lord, Sale Proposals for Estate of, *Nov. 8*, 754.

Lupton, Mr. A. [Lincolnshire, Sleaford]

Bengal, Partition of—Local Opinion, etc., *Nov. 6*, 324.

Land Tenure Bill, *Con.*, *Nov. 12*, 1158, 1159, 1160, 1248, 1249, *Nov. 13*, 1368; *Nov. 14*, 1561, 1574, 1603.

Schools, Floor Space allotted to each Child, *Nov. 7*, 551.

Transvaal—Chinese Labourers

Immorality, Charges of, *Nov. 14*, 1487.

Opium, Regulations as to, *Nov. 12*, 1045.

Vaccination Exemptions—Case of Mr. Walden, *Nov. 14*, 1462.

Vivisection, Royal Commission, Constitution of, *Nov. 5*, 125.

Lyell, Mr. C. H. [Dorset, E.]

Nigerian Railway Development, Decision as to, *Nov. 12*, 1017.

Lynch, Mr. H. F. B. [Yorkshire, W.R., Ripon]

Land Tenure Bill, *Con.*, *Nov. 14*, 1542–1544, 1612, 1613, 1614.

Opium—Statistics as to Chinese Cultivation and Importation, *Nov. 12*, 1007.

Parliamentary Procedure—Alteration of Date of Meeting of Parliament, proposed, *Nov. 12*, 1065.

Turkey Custom Duties—Opportunity for Discussion, *Nov. 14*, 1492.

Lyttelton, Rt. Hon. A. [St. George's, Hanover Square]

Land Tenure Bill, *Con.*, *Nov. 8*, 792; *Nov. 12*, 1246, 1255; *Nov. 14*, 1522, 1528.

Newfoundland Fisheries, *Modus vivendi* with United States as to—Date of laying Papers, *Nov. 5*, 116.

Trade Disputes Bill, *Con.*, *Nov. 5*, 155, 166, 167, 168.

Transvaal

Elections—Letter written by Lord Selborne to Sir P. Fitzpatrick, *Nov. 12*, 1053.

Lyttelton, Rt. Hon. A.—*cont.*

Transvaal—*cont.*

Land Scheme Settlers, Provisions as to, *Nov. 12*, 1067.

Self-Government Proposals — Letters Patent, Date of Issuing, *Nov. 12*, 1068.

McCrae, Mr. G. [Edinburgh, E.]

Trade Disputes Bill, *Con.*, *Nov. 5*, 230.

Volunteers, Camp Training, Period for, *Nov. 12*, 1040, 1041.

MacIver, Mr. D. [Liverpool, Kirkdale]

Africa, British Central—Labour Recruiting for Transvaal Mines, *Nov. 14*, 1489.

Mackarness, Mr. F. C. [Berkshire, Newbury]

Africa, Portuguese East, Labour Recruiting in, *Nov. 12*, 1048, 1049.

Transvaal Chinese Labour—Charges of Immorality, *Nov. 14*, 1486.

McKenna, Mr. R.—*Financial Secretary to the Treasury* [Monmouth, N.]

Cardiff Customs Officer, P. M'Keon, Case of, *Nov. 14*, 1474.

Civil Service

Assistant Clerks performing Duties of Second Division Clerks, Allowances to, *Nov. 14*, 1458.

Parliamentary Candidature—Regulations as to Resignation of Office, *Nov. 7*, 534.

Crown and Quit Rents, Amount and Allocation of, *Nov. 5*, 102.

Customs Launches—Hours of Labour, etc., of Crews, *Nov. 6*, 313.

Dromore Floods, Proposals for Prevention of, *Nov. 6*, 347, 348.

Dublin Science College, Building Materials used for, *Nov. 7*, 565.

Income Tax Returns, Proposals for preserving confidential character of, *Nov. 14*, 1476.

Land Purchase Price—Effect of Act of 1903, *Nov. 7*, 570.

Liverpool Victoria Legal Friendly Society, Proposal for converting into Limited Liability Company, *Nov. 5*, 122; *Nov. 6*, 313, 336.

National Portrait Gallery—Authenticity of Portrait of Charlotte Brontë, *Nov. 6*, 337.

Parliamentary Debates — Inquiry into method and scope of Reports, proposed *Nov. 5*, 123.

School Building Plans in Ireland, Decision as to, *Nov. 13*, 1273.

Stationery and Printing

Irish Contractors, Carriage paid on Samples by, *Nov. 7*, 570.

[*cont.*

McKenna, Mr. R.—*cont.*
Stationery and Printing—*cont.*
Wyman & Sons, Messrs.—Allegations as to Dismissal of Trade Union Employees, *Nov. 6*, 336.
Taxation
Commissioners' Clerks, Remuneration paid to, *Nov. 5*, 123.
Inspector's Clerk—Reason for payment of Gratuity of £78 on Retirement, *Nov. 13*, 1268.

McKillop, Mr. W. [Armagh, S.]
Armagh Union Schools—Superannuation Allowance of Miss M'Kee, *Nov. 12*, 1028.

Maclean, Mr. D. [Bath]
Debt, Imprisonment for—Amendment of Law, proposed, *Nov. 7*, 554, 555.
Water Supply, Inquiry into, proposed, *Nov. 7*, 544.

Macnamara, Dr. T. J. [Camberwell, N.]
Education
Council Schools, Number of—Religious Instruction given, etc., *Nov. 6*, 333, 334.
Religious Instruction — Bibles, etc., Obligations of Religious Authority to provide, *Nov. 8*, 750.
Schools—Floor Space allotted to each Child, *Nov. 7*, 550.

MacNeill, Mr. J. G. S. [Donegal, S.]
Crown Prosecutions in Ireland—Practice as to Right of Reply, *Nov. 13*, 1301.
Election Petition Acts, Proposals for Amendment of, *Nov. 12*, 1065.
Portsmouth Barracks Stokers, Disturbance among, *Nov. 13*, 1283, 1284.
Questions, Form of, *Nov. 14*, 1512.
Transvaal Chinese Labour—Charges of Immorality, *Nov. 14*, 1487.
Vivisection Prosecutions, Procedure in, *Nov. 13*, 1292.

MacVeagh, Mr. J. [Down, S.]
Dromore Floods, Proposals for Prevention of, *Nov. 6*, 348.
Great Northern Railway (Ireland) Bill, 2R., *Nov. 6*, 309.

McVeigh, Mr. C. [Donegal, E.]
Hayes Estate—Case of Elizabeth Armstrong, *Nov. 12*, 1009.

Macedonia
Deaths by Violence during 1906.
Q. Mr. G. Greenwood; *A.* Sir E. E. Grey, *Nov. 6*, 328.
Revenues, Administration of, etc.
Q. Mr. Rees; *A.* Mr. Runciman, *Nov. 14*, 1492.

Macedonia—*cont.*
Rodevo—Punishment for Turkish Outrages at.
Q. Dr. Rutherford; *A.* Sir E. Grey, *Nov. 6*, 328, 329.

Maddison, Mr. F. [Burnley]
Land Tenure Bill, *Con.*, *Nov. 12*, 1258.
Soldiers Incurably Disabled, Maintenance of—Reason for Discharge of Invalids from Netley, *Nov. 8*, 833, 838.

Magan Estate
Sale Proposals for.
Q. Mr. Ginnell; *A.* Mr. Bryce, *Nov. 7*, 561.

Magistrates
Appointment, Procedure for.
Q. Mr. Henry; *A.* Sir H. Campbell-Bannerman, *Nov. 6*, 349.
Bail to Prisoners committed for Trial, Increase of Facilities for, proposed.
Q. Mr. Bottomley; *A.* Mr. Gladstone, *Nov. 8*, 746.
Ireland—Fees on Appointment.
Q. Mr. O'Dowd; *A.* Mr. Cherry, *Nov. 13*, 1301, 1302.
Oaths taken by, Regulations as to.
Q. Mr. Brace *A.* Mr. Gladstone, *Nov. 12*, 1060.

Maher Estate
Untenanted Land, Disposal of.
Q. Mr. Ginnell; *A.* Mr. Bryce, *Nov. 14*, 1502, 1503.

Mahon Estate
Purchase Agreements lodged by Middlemen.
Q. Mr. J. O'Kelly; *A.* Mr. Bryce, *Nov. 5*, 92, 93.
Sale Proposals for—Position of Subtenants, etc.
Q. Mr. J. O'Kelly; *A.* Mr. Bryce, *Nov. 12*, 1029.

Mallet, Mr. C. E. [Plymouth]
Trawlers, Foreign, Damage done to English Fishing Gear by, *Nov. 5*, 101.

Malone Estate
Grazing Land, Disposal of.
Qs. Mr. Ginnell; *As.* Mr. Cherry, *Nov. 13*, 1302.
Qs. Mr. Ginnell; *As.* Mr. Bryce, *Nov. 7*, 561, 562; *Nov. 13*, 1304, 1305.

Malta
Garrison—Strength in 1896 and 1906.
Q. Mr. Bellairs; *A.* Mr. Haldane, *Nov. 13*, 1285,

Malton
Workhouse—Case of Tasker Family.
Qs. Mr. L. Jones; *As.* Mr. Burns, *Nov. 5*, 128, 129.

Manchester
  Zingar, Arrest of, on Charge preferred by Russian Authorities.
    Q. Mr. Parker; *A.* Mr. Gladstone, *Nov. 7,* 543, 544.

"Manningtree"
  Loss of—Proposals as to Inquiry.
    Q. Mr. H. Wilson; *A.* Mr. Lloyd-George, *Nov. 14,* 1471, 1472.

Marks, Mr. H. H. [Kent, Thanet]
  Cabs and Omnibuses (Metropolis) Select Committee Report, Adoption of, *Nov. 5,* 124.
  Cemeteries, Houses erected on Borders of—Effect of Decision in Case of Godden *v.* Hythe Burial Board, *Nov. 12,* 1000.
  Land Tenure Bill, *Con., Nov. 7,* 1217, 1218.
  Soldiers Incurably Disabled, Maintenance of—Reason for Discharge of Invalids from Netley, *Nov. 8,* 836.

Marlborough, Duke of
  Africa, South—Land Settlement in
    Land Board, Establishment of, proposed, *Nov. 14,* 1388, 1389.
    Status of Settlers, Steps taken for Protection of Interests of, etc., *Nov. 14,* 1388–1391.

Marnham, Mr. F. J. [Surrey, Chertsey]
  Windlesham—Prosecution of Motor-driver in Fatal Accident to O. P. Hart, *Nov. 5,* 132.

Marshall Islands
  Claim of Messrs. Burns, Philp & Co.—Reply of German Government, etc.
    Q. Earl of Jersey; *A.* Lord Fitzmaurice, *Nov. 14,* 1382.

Mason, Mr. J. F. [Windsor]
  Land Tenure Bill, *Con., Nov. 7,* 591, 636; *Nov. 12,* 1142.

Meehan, Mr. P. A. [Queens County, Leix]
  Glen-Glasslough Distillery, Source of Excess of Sprits found at, *Nov. 13,* 1267.

Members of Parliament
  Payment of—Provision of Funds by cutting down Ministerial Salaries, proposed.
    Qs. Mr. Morton; *As.* Sir H. Campbell Bannerman, *Nov. 14,* 1516.

Metropolitan Electric Supply Bill
  *l. Rep.** *Nov. 8,* 653.

Meysey-Thompson, Mr. E. C. [Stafford, Handsworth]
  Woolwich Arsenal Discharges, Statistics as to, *Nov. 7,* 526.

Micklem, Mr M. [Herts, Watford]
  Land Tenure Bill, *Con. Nov. 14,* 1567, 1568.
  Trade Disputes Bill, *Con. Nov. 5,* 201, 202, 207, 210.

Midwives
  Training of—Legislation to Enable County Councils to make Grants, proposed.
    Q. Mr. W. Hope; *A.* Mr. Burns, *Nov. 12,* 1022.

Mildmay, Mr. F. B. [Devon, Totnes]
  Land Tenure Bill, *Con. Nov. 6,* 363; *Nov. 12,* 1107.
  Start Bay, Decision as to Naval Gun Practice in, *Nov. 5,* 106.

Military Instruction in Schools
  Provision for, proposed.
    Q. Sir H. Vincent; *As.* Mr. Birrell, *Nov. 14,* 1495, 1496.

Milner, Viscount
  Africa, South—Land Settlement
    Land Board, Establishment of, proposed, *Nov. 14,* 1397, 1400, 1401;
    Ridgway Commission Report, Terms of, *Nov. 14,* 1396, 1399.
    Status of Settlers, Steps taken to Safeguard Interests of, etc., *Nov. 14,* 1394–1403.

Minch
  Closing of, against Trawlers, proposed.
    Qs. Mr. Weir; *As.* Mr. Sinclair, *Nov. 7,* 557.

Mining Royalties
  Payments during last Five Years.
    Q. Mr. Fullerton; *A.* Mr. Gladstone, *Nov. 8,* 742, 743.

Mitchell-Thomson, Mr. W. [Lanark, N.W.]
  Cocoa Imports into Great Britain, during past Ten Years, *Nov. 12,* 1022.
  Land Tenure Bill, *Con. Nov. 6,* 416, 432, 433; *Nov. 7,* 646; *Nov. 8,* 809; *Nov. 12,* 1071–1074, 1251–1253.
  Perth Prison, Accommodation in, *Nov. 5,* 96.
  Small Holdings in Scotland, Return as to, proposed, *Nov. 5,* 133.
  Straits Settlements Currency, Change in, *Nov. 7,* 539.
  Sugar
    Beet 88 per cent. f.o.b. Hamburg—Average Price (1896–1906), *Nov. 12,* 1004.
    Crop in 1901–2 and 1905–6, *Nov. 12,* 1004.
  West Indies—Decision as to Agricultural Department, *Nov. 12,* 1050.

Molteno, Mr. P. A. [Dumfriesshire]
Transvaal—Elections—Letter Written by Lord Selborne to Sir P. Fitzpatrick, *Nov. 12*, 1051, 1052.

Mond, Mr. A. [Chester]
Naval Instructors, Proposals as to, *Nov. 7*, 534.

Monk-Bretton, Lord
Education (England and Wales) Bill, *Com. Nov. 14*, 1430.

Monkswell, Lord
Education (England and Wales) Bill, *Com. Nov. 12*, 950–952, 957, 958.

Montagu, Mr. E. S. [Cambridgeshire, Chesterton]
Land Tenure Bill, *Con. Nov. 12*, 1340–1342.

Montgomeryshire
Fishery Board Orders, Publication of, in Welsh Language, proposed.
Q. Mr. Rees; *A.* Sir E. Strachey, *Nov. 9*, 854.
Sheep Dipping—Acquaintance of Agriculture Board Inspector with Welsh Language.
Q. Mr. Rees; *A.* Sir E. Strachey, *Nov. 14*, 1497.

Mooney, Mr. J. J. [Newry]
Agriculture Department Vice-President, Decision as to, *Nov. 7*, 566.
Coalisland Disturbances—Police Efforts to keep the Peace etc., *Nov. 14*, 1508–1510.
Dublin Science College, Architect of, *Nov. 7*, 565.

Moor Park
Troops, Distance marched by, on 2nd September, Authority for Holding Military Sports, etc.
Q. Mr. Sloan; *A.* Mr. Haldane, *Nov. 8*, 725.

Moray Firth
Foreign Trawlers observed Working in.
Q. Mr. Weir; *A.* Mr. Sinclair, *Nov 9*. 339.

Morgan, Mr. J. L. [Carmarthen, W.]
Flogging Sentences in 1904 and 1905—Offences Committed, etc., *Nov. 13*, 1269.

Morley, Rt. Hon. J.—*Secretary of State for India* [Montrose Burghs]
Alipura—Proceedings against Mr. Jack for arrest of Ryots, *Nov. 8*, 724.
Army Redistribution Scheme—Decision as to Torseppah, Nowshera and Hoti Murdan, *Nov. 5*, 89, 112.
Bengal, Partition of—Opportunity for Parliamentary Discussion, *Nov. 6*, 324.

Morley, Rt. Hon. J.—*cont.*
Bikanir—Reply to Memorial from imprisoned Nobles, *Nov. 7*, 524.
Burma Police Force—Effect of Transfer of Officers, etc., *Nov. 12*, 1026.
Calcutta—Educational Appointments of Mr. Candler, Mr. J. A. Chapman, etc., *Nov. 7*, 525, 526.
Civil Service
  Place of Examination of Indian Candidates, *Nov. 8*, 723.
  Rules as to overstaying Leave—Assimilating to Military Practice proposed, *Nov. 14*, 1477.
Darjeeling—Arrest of Murderers of Mr. Goss, *Nov. 12*, 1026.
Delhi Municipality—Circumstances of Appointment of Mr. Addison as Secretary, *Nov. 8*, 724.
Excise Administration Report, Information contained in, etc., *Nov. 6*, 322, 323.
Imperial Institute, Subscribers, Consultation of, as to utilising portion for London University, *Nov. 14*, 1477.
Judicial and Executive Functions, Separation of, *Nov. 5*, 89, 112.
Seditious Circulars and Speeches, Proposals for dealing with, *Nov. 5*, 88, 111.
Tibet Conventions, Provisions as to Tea Trade, *Nov. 7*, 523.

Morocco
Algeciras Act, Powers Ratifying
Q. Mr. Lonsdale; *A.* Mr. Runciman, *Nov. 12*, 1055.

Morrell, Mr. P. [Oxon, Henley]
Transvaal Chinese Labour—Charges of Immorality, proposals as to Tabling Report, etc., *Nov. 7*, 538.
Women's Suffrage Disturbance—Prison Accommodation in Holloway, etc., *Nov. 7*, 543.

Morton, Mr. A. C. [Sutherland]
Ardarroch Pier, Application for Grant for, *Nov. 14*, 1500.
Broad Bay, Prevention of Illegal Trawling in, *Nov. 14*, 1499.
Canadian Railway Work, Conditions of engaging Lewis Men for, *Nov. 12*, 1043.
Cape Wrath Illegal Trawling Case—Regulations as to Evidence of Lighthouse Keepers, *Nov. 6*, 340.
Durness Bay, Illegal Trawling in, on 9th September—Reason for not taking Proceedings, etc., *Nov. 7*, 557; *Nov. 13*, 1300, 1301.
Fishery Cruiser—Circumstances of Cruise in Western Highlands, *Nov. 5*, 137.
Land Tenure Bill, *Co .*, *Nov. 14*, 1593, 1599, 1600, 1611, 1617.

[*cont.*

Morton, Mr. A. C.—*cont.*
- Lewis, Island of
  - Aignish, Defective Water Supply at, *Nov. 5*, 135; *Nov. 14*, 1498.
  - Schools, Water Supply of, proposals for improving, *Nov. 13*, 1299.
  - Stornoway
    - Inspector of the Poor, Duties of, *Nov. 14*, 1501.
    - Murray's Close, Condition of, *Nov. 14*, 1501.
- Members of Parliament, Payment of—Provision of Funds by cutting down Ministerial Salaries, proposed, *Nov. 14*, 1516.
- Penny Post between United States and New Zealand—Proposals for Extension to United Kingdom, *Nov. 5*, 131.
- Public Accounts Committee Reports, Opportunity for discussing, *Nov. 14*, 1516.
- Railways—Decision as to Third-class Sleeping Carriages, *Nov. 5*, 129; *Nov. 13*, 1292, 1293.
- Trawling, Illegal, Protection of Fishery Grounds against
  - Inspection of Cruisers' Log-Books proposed, *Nov. 14*, 1499, 1500.
  - Lighthouse-Keepers' Evidence, Regulations as to, *Nov. 14*, 1501, 1502.
  - Members of Sea-board Constituencies, Permitting to accompany Cruisers, proposed, *Nov. 7*, 559.
- Unemployed Workmen Act, [Grant of £200,000—Sum allocated to Scotland, *Nov. 14*, 1500.

Motors
- Accidents in Metropolis caused by, in July and August.
  - *Q.* Mr. Channing; *A.* Mr. Gladstone, *Nov. 5*, 84.
- Scotland—Applications for Limitation of Speed received.
  - *Q.* Mr. Weir; *A.* Mr. Sinclair, *Nov. 5*, 95.
- Skidding and Excessive Speed, Prevention of Accidents from.
  - *Q.* Mr. J. C. Wason; *A.* Mr. Gladstone, *Nov. 5*, 126, 127.
- Taxation according to Horse-Power, proposed.
  - *Q.* Mr. Weir; *A.* Mr. Asquith, *Nov. 6*, 329.

Murphy, Mr. J. [Kerry, E.]
- Education Grants—Proportion to Children, Comparison with Scotland, etc., *Nov. 12*, 1011.
- Feagh School—Case of Mr. McCurdy, *Nov. 14*, 1469.
- Kenmare Estate—Reinstatement Claim of D. O'Shea, *Nov. 5*, 89.
- Killarney Quarter Sessions—Claims for Malicious Injury, *Nov. 7*, 568.

Myer, Mr. H. [Lambeth, N.]
- Life Insurance Companies, Money accruing to, from failure to keep up Payments—Legislation to enforce Return of Portion, proposed, *Nov. 5*, 130.
- Taxation—Remuneration of Commissioners' Clerks, *Nov. 5*, 123.

Nannetti, Mr. J. P. [Dublin, College Green]
- Liverpool Victoria Legal Friendly Society, Proposal for converting into Limited Liability Company, *Nov. 5*, 121.

Natal
- Tilonko (or Tilonkwe), Right of, to Appeal against Decision of Court-Martial.
  - *Q.* Mr. Byles; *A.* Mr. Churchill, *Nov. 8*, 739, 740.

National Gallery
- Photograph Stalls in—Decision as to official sale of Photographs, etc.
  - *Q.* Mr. Chiozza Money; *A.* Mr. Runciman, *Nov. 13*, 1294.

National Portrait Gallery
- Brontë, Charlotte, Authenticity of Portrait of.
  - *Q.* Sir W. Bull; *A.* Mr. McKenna, *Nov. 6*, 337.

National School Teachers, Ireland
- *See under* Education—Ireland.

Naturalisation
- Fees charged for.
  - *Q.* Mr. S. Samuel; *A.* Mr. Gladstone, *Nov. 13*, 1276.

Navy
- *First Lord*—Rt. Hon. Lord Tweedmouth.
- *Financial Secretary*—Rt. Hon. E. Robertson.
- "Anson," "Sanspareil," "Camperdown," "Benbow," "Howe," and "Rodney."
  - Expenditure on during last Eighteen Months.
    - *Q.* Mr. F. E. Smith; *A.* Mr. E. Robertson, *Nov. 7*, 519.
  - Removal of Names from Annual Return of Fleets.
    - *Q.* Mr. F. E. Smith; *A.* Mr. E. Robertson, *Nov. 8*, 730.
- Battleships (*See also Subheadings* Names of Battleships).
  - Designs, Speed specification in—Expert Opinion on Cost of Excessive Speed, etc.
    - *Qs.* Mr. Bellairs; *A.* Mr. E. Robertson, *Nov. 6*, 318.
  - Number of—Comparison with Foreign Countries, etc.
    - *Q.* Mr. Bellairs; *A.* Mr. E. Robertson, *Nov. 14*, 1480.
  - Unarmoured Ends, Danger of.
    - *Qs.* Mr. Bellairs, Captain Hervey; *As.* Mr. E. Robertson, Mr. Speaker, *Nov. 8*, 726, 727.

Navy—*cont.*

Cap ribbons, Decision as to supply of.
Q. Mr. Bellairs ; *A.* Mr. E. Robertson, *Nov. 14*, 1479.

Dartmouth, System of Teaching Navigation.
Q. Mr. Bellairs ; *A.* Mr. E. Robertson, *Nov. 12*, 1031, 1032.

Destroyers laid down by Great Britain, France and Germany since 1899.
Qs. Viscount Turnour ; *As.* Mr. E. Robertson, *Nov. 13*, 1275, 1276, 1281.

Dockyards

Chatham

Battleship, Building at, proposed.
Q. Mr. Jenkins ; *A.* Mr. E. Robertson, *Nov. 12*, 1032.

Skilled Labourers employed on ordinary Labour, Wages paid, etc.
Qs. Mr. Jenkins, Mr. J. Ward ; *As.* Mr. E. Robertson, *Nov. 5*, 105, 106.

Financial Year, Date of Commencing —Payment for Overtime between April and July, etc.
Q. Sir J. Benn ; *A.* Mr. E. Robertson, *Nov. 7*, 518.

Fleets of Great Britain and Foreign Powers, Return as to.

Guns, Additional Particulars of, proposed.
Q. Mr. Bellairs ; *A.* Mr. E. Robertson, *Nov. 12*, 1000.

Particulars shown in.
Qs. Captain Hervey, Mr. Bellairs ; *As.* Mr. E. Robertson, Sir C. Dilke, *Nov. 8*, 730, 731.

Guns

Contracts for certain Vessels, Date of.
Q. Viscount Turnour ; *A.* Mr. E. Robertson, *Nov. 13*, 1281, 1282.

Reserve of 45 Calibre 12-inch Guns (Mark X).
Q. Mr. Nield ; *A.* Mr. E. Robertson, *Nov. 6*, 314.

Home Fleet, Constitution, etc., of.
Q. Mr. Bellairs ; *A.* Mr. E. Robertson, *Nov. 7*, 517, 518.
Qs. Mr. F. E. Smith ; *As.* Mr. E. Robertson, *Nov. 12*, 1031 ; *Nov. 14*, 1482.

Instructors, Proposals as to,
Q. Mr. Mond ; *A.* Mr. E. Robertson, *Nov. 7*, 534.

Lists, Vessels shown in.
Q. Mr. Bellairs ; *A.* Mr. E. Robertson, *Nov. 8*, 721.

Manœuvres, Result of.
Qs. Sir H. Vincent, Viscount Turnour ; *As.* Mr. E. Robertson, *Nov. 13*, 1282, 1283.

Navy—*cont.*

Memorandum—Interpretation of "Serving Afloat."
Q. Mr. Arnold-Forster ; *A.* Mr. E. Robertson, *Nov. 7*, 521.

"Montagu," Salving of

Dockyard Men, Alleged Refusal of, to Work at Night.
Q. Mr. Bowles ; *A.* Mr. E. Robertson, *Nov. 14*, 1479, 1480.

Replacing Sailors' Clothing worn out during.
Q. Mr. Hunt ; *A.* Mr. E. Robertson, *Nov. 13*, 1281.

Obsolete Vessels, Proposals as to Utilisation of—Breaking up in Dockyards suggested.
Qs. Mr. Watt, Mr. Jenkins ; *As.* Mr. E. Robertson, *Nov. 14*, 1482.

Officers, Retired, Regulations as to Employment of, in Dockyards, etc.
Q. Mr. Bramsdon ; *A.* Mr. E. Robertson, *Nov. 6*, 317.

Painting and Decorating Ships by Officers out of their Private Funds, Discouragement of.
Qs. Mr. T. H. Davies ; *As.* Mr. E. Robertson, *Nov. 12*, 1031.

Portsmouth Barracks

Disturbances, Result of Inquiry into.
Os. Earl Cawdor, *Nov. 8*, 653; Lord Tweedmouth, 654.
Qs. Mr. G. Baring, Mr. Dalziel, Mr. Bellairs. Mr. Bowles, Mr. K. Hardie ; *A.* Mr. E. Robertson, *Nov. 8*, 728, 729.
Q. Mr. O'Grady ; *A.* Mr. E. Robertson, *Nov. 12*, 1032, 1033.
Qs. Mr. MacNeill, Mr. Dalziel ; *As.* Mr. E. Robertson, *Nov. 13*, 1283, 1284.
Qs. Mr. Dalziel, Mr. J. C. Wason ; *As.* Mr. E. Robertson, *Nov. 14*, 1483, 1484.

Order given on 24th November, 1905, Allegations as to.
Q. Mr. Dalziel ; *A.* Mr. E. Robertson, *Nov. 12*, 1033.

Redistribution Scheme

Distribution of Ships, etc., Changes proposed in.
Q. Mr. Bellairs ; *A.* Mr. E. Robertson, *Nov. 5*, 83.

Effect on Fighting Efficiency of the Fleet
Q. Sir G. Parker ; *A.* Sir H. Campbell-Bannerman, *Nov. 5*, 106.

Names of Vessels to be withdrawn from elsewhere and added to Home Fleet.
Qs. Sir G. Parker, Sir H. Vincent, Viscount Turnour, Mr. Bellairs, Sir G. Doughty ; *As.* Mr. E. Robertson, *Nov. 6*, 318, 319.

[*cont.*

Navy—*cont.*
  Redistribution Scheme—*cont.*
    Number of Men in Barracks, etc., Effect on.
      Qs. Mr. F. E. Smith, Captain Hervey; *As.* Mr. E. Robertson, *Nov. 8*, 729, 730.
  Sailors, Civil Employment of, on Discharge—Admiralty Attitude towards Question.
    Q. Mr. Fetherstonhaugh; *A.* Mr. Haldane, *Nov. 5*, 94.
    Q. Sir S. Scott; *A.* Sir H. Campbell Bannerman, *Nov. 6*, 349.
  Shipbuilding Programme
    Conditions determining.
      Q. Viscount Turnour, Mr. A. Chamberlain, Mr. Bellairs; *As.* Mr. E. Robertson, *Nov. 13*, 1282.
    Expenditure on Repairs and Building in 1901–2 and present Year in Great Britain, France and Germany.
      Q. Mr. Cowan; *A.* Mr. E. Robertson, *Nov. 13*, 1266.
    Method of accounting for new Ships in Great Britain and Germany.
      Q. Mr. Rees; *A.* Mr. E. Robertson, *Nov. 12*, 1030.
    Programme of 1904, Carrying-out of.
      Q. Mr. Rees; *A.* Mr. E. Robertson, *Nov. 12*, 1030.
  Ships' Police, Proposals as to Abolishing.
    Q. Mr. Bellairs; *A.* Mr. E. Robertson, *Nov. 14*, 1472.
  Shore Establishment Reserve Ships and Commissioned Ships at Sea, Return as to Officers and Men in, proposed.
    Q. Mr. Bellairs; *As.* Mr. E. Robertson, *Nov. 12*, 1030, 1031.
  Standard of Strength for.
    Q. Mr. F. E. Smith; Sir H. Campbell-Bannerman, *Nov. 12*, 1067.
  Unarmoured Cruisers, Proposals as to, and Provisions for replacing.
    Q. Mr. Bellairs; *A.* Mr. E. Robertson, *Nov. 8*, 726.

Neagh, Lough
  Fisheries, Revision of Present System of Control, proposed.
    Q. Mr. C. Craig; *A* Mr. Bryce, *Nov. 7*, 566.

Neptune Blood Estate
  Sale Proposals, Reason for Delay, etc.
    Q. Mr. W. Redmond; *A.* Mr. Bryce, *Nov. 7*, 562, 563.

New Hebrides
  Convention
    New Officials under, Consultation of Commonwealth Opinion in Appointing.
      Qs. Sir G. Parker; *As.* Mr. Churchill, *Nov. 14*, 1491.

New Hebrides—*cont.*
  Convention—*cont.*
    Presented, *Nov. 5*, 3, 83.
    Representation of Australian and New Zealand Interests, Proposals as to laying Papers, etc.
      Qs. Mr. W. Redmond, Mr. R. Duncan, Sir G. Parker; *As.* Mr. Churchill, *Nov. 13*, 1287, 1288.

New Zealand
  Penny Post to United States, Arrangements for.
    Qs. Mr. Morton; *As.* Mr. Buxton, *Nov. 5*, 131.

Newcastle (Limerick)
  Workhouse, Letter Delivery at.
    Q. Mr. O'Shaughnessy; *A.* Mr. Buxton, *Nov. 14*, 1515, 1516.

Newfoundland
  Fisheries
    "Brilliante," H.M.S.—Allegations as to Statement by Captain.
      Q. Mr. Londsdale; *A.* Mr. Churchill, *Nov. 12*, 1050.
    Modus vivendi with United States Correspondence, Date of Tabling.
      Q. Sir G. Parker; *A.* Sir H. Campbell-Bannerman, *Nov. 5*, 138, 139.
      Duration of Agreement, Reason for Course of Action taken, etc.
        Qs. Mr. Ashley, Sir G. Parker, Mr. Lyttelton, Sir H. Vincent; *As.* Mr. Churchill, Mr. Speaker, *Nov. 5*, 115, 116.
        Q. Mr. Ashley; *A.* Mr. Churchill, *Nov. 7*, 537.
      Imperial Government Powers to override Provisions of a Newfoundland Act.
        Q. Sir C. Dilke; *A.* Mr. Churchill, *Nov. 8*, 738.
      Test of Validity of Bait Act by Colonial Government.
        Q. Sir G. Parker; *A.* Sir H. Campbell-Bannerman, *Nov. 5*, 138, 139.

Nicholls, Mr. G. [Northants, N.]
  Land Tenure Bill, *Con.*, *Nov. 6*, 426; *Nov. 12*, 1091; *Nov. 13*, 1346.
  Trade Disputes Bill, 3R., *Nov. 9*, 872, 873.

Nield, Mr. H. [Middlesex, Ealing]
  Lottery Circulars, Prevention of Transmission of, through the Post Office, *Nov. 6*, 331.
  Navy—Reserve of 45 Calibre 12-inch (Mark X) Guns, *Nov. 6*, 314.

Nigeria

Civil Servants, Allowance to.
Qs. Col. Lockwood; *As.* Mr. Churchill *Nov. 12*, 1047, 1048.

Cost of Living in—Provision of Supplies for Army Officers, etc.
Qs. Col. Lockwood, Mr. J. C. Wason; *As.* Mr. Churchill, *Nov. 12*, 1045—1047.

House Accommodation for Officers.
Q. Col. Lockwood; *A.* Mr. Churchill, *Nov. 12*, 1048.

Political and Constabulary Departments—Regulations as to Leave, etc.
Q. Capt. Craig; *A.* Mr. Churchill, *Nov. 7*, 537.

Railway Development, Decision as to.
Q. Mr. Lyell; *A.* Mr. Churchill, *Nov. 12*, 1017, 1018.

Read, Mr. Crewe, Cause for Attack on.
Q. Mr. J. C. Wason; *A.* Mr. Churchill, *Nov. 5*, 119.

Norfolk, Duke of

Education (England and Wales) Bill, *Com.*, *Nov. 6*, 267, 268; *Nov. 7*, 456, 479; *Nov. 8*, 675; *Nov. 14*, 1455, 1456.

Norman, Mr. H. [Wolverhampton, S.]

Cabs and Omnibuses (Metropolis) Select Committee Report, Adoption of, *Nov. 5*, 125.

Nottingham

Gas Committee, Allegations against—Inquiry proposed.
Qs. Mr. Richardson; *As.* Mr. Burns, *Nov. 7*, 547.

Nussey, Mr. T. W. [Pontefract]

Land Tenure Bill, *Con. Nov. 6*, 403, 415, 416; *Nov. 7*, 592, 602, 616; *Nov. 8*, 780; *Nov. 12*, 1143; *Nov. 14*, 1520 1557.

Nuttall, Mr. H. [Lancashire, S. E., Stretford]

Brighton and Glasgow Telephone systems—Conditions of Employment of Operators, *Nov. 5*, 87.

O'Brien, Mr. K. E. [Tipperary, Mid.]

Ardmayle Postal Facilities, Improvement of, proposed, *Nov. 5*, 98.

Downes-Martin Estate—Case of D. Looby, *Nov. 14*, 1467.

Gortnahoe Meeting—Reason for Police Attendance, *Nov. 14*, 1468.

Poe, Admiral, Estate of—Reinstatement Claim of P. McDonnell, *Nov. 14*, 1512.

Waterford Bridge Commission—Representation of South Riding of Tipperary, *Nov. 5*, 103.

O'Brien, Mr. P. [Kilkenny]

Bellaghy Labourer's Cottages—Application of P. M'Callion, *Nov. 12*, 1027.

National School Teachers, Complaints against, Procedure in Investigating *Nov. 13*, 1279.

O'Connor, Mr. Jas. [Wicklow, W.]

Carstairs Junction Postman, risk run by in Crossing Metals to place Mails in Guard's Van, *Nov. 5*, 99.

Evictions, September Return of—Cause for Notices, *Nov. 6*, 346.

Row—Letter Delivery and Collection by Mail Cart Drivers, *Nov. 7*, 519.

O'Connor, Mr. John [Kildare, N.]

Floods in North of Ireland, proposals for Prevention of, *Nov. 8*, 756.

Kildare and Leighlin Diocese, School Accommodation in, *Nov. 5*, 90.

National School Teachers' Salaries—Effect of New System, *Nov. 5*, 90.

O'Connor, Mr. T. P. [Liverpool, Scotland]

Trade Disputes Bill, 3R., *Nov. 9*, 866–869.

O'Donnell, Mr. C. J. [Newington, Walworth]

Bengal, Partition of—Opportunity for Discussion, *Nov. 6*, 323, 324.

Borough Council Elections—Extension of Hours of Polling, proposed, *Nov. 8*, 748.

O'Dowd, Mr. J. [Sligo, S.]

Erris—Proposals for Purchase of Estates of Mr. J. M. Coyne and Mr. Bengham, *Nov. 14*, 1461.

Magistrates, Fees on Appointment of, *Nov. 13*, 1301.

Perry-Knox Gore Estate, Sale proposals for, *Nov. 13*, 1308.

Public Trustee in Ireland, Salary of—Amount placed with for Investment, etc., *Nov. 13*, 1308.

O'Grady, Mr. J. [Leeds, E.]

Cheltenham Ladies' College—Reason for Refusal of Admission to Pupil from Leeds City Council School, *Nov. 8*, 748.

Flynn, R., Case of, *Nov. 8*, 743, 744.

Portsmouth Dockyard Disturbance among Stokers—Result of Inquiry, etc., *Nov. 12*, 1032.

Wormwood Scrubbs Prison—Case of J. Yallop, *Nov. 12*, 1060.

O'Kelly, Mr. J. [Roscommon, N.]

Cardiff Customs Officer, P. McKeon, Case of, *Nov. 14*, 1474.

Land Purchase—Middlemen, Position of, under the Act of 1903, *Nov. 5*, 92.

Mahon Estate—Purchase Agreements lodged by Middlemen, *Nov. 5*, 92; *Nov. 12*, 1029.

O'Shaughnessy, Mr. P. J. [Limerick, W.]

Abbeyfeale Fair—Complaints as to Insufficient Supply of Railway Wagons, *Nov. 7*, 570; *Nov. 12*, 1004.

Newcastle (Limerick) Workhouse, Letter Delivery at, *Nov. 14*, 1515.

[*cont.*

O'Shaughnessy, Mr. P. J.—*cont.*
- Railways—Second Class Accommodation between Limerick and Tralee, *Nov. 7*, 533.
- Southwell Estate, Sale Proposals for, *Nov. 14*, 1469.

O'Shee, Mr. J. J. [Waterford, W.]
- Lismore Sanitary Sub-officer—Reason for Refusal of Sanction to Appointment of Mr. Murphy, *Nov. 6*, 316.
- Ussher Estate—Reinstatement Claim of Mrs. Crotty, *Nov. 14*, 1511.
- Woodrooffe Estate Untenanted Lands, Purchase Proposals for, *Nov. 14*, 1511.

Opium
- Burmah
  - Indian Opium consumed during last Thirty Years—Return Presented, *Nov. 12*, 999.
  - Licences, Revenues, etc., since 1885, Return Presented, *Nov. 12* 999.
- China—Statistics as to Cultivation and Importation.
  Q. Mr. Lynch; *A.* Mr. Runciman, *Nov. 12*, 1007, 1008.

Ordnance Survey (Ireland)
- Control of, by Agriculture Board, proposed.
  Q. Mr. Field; *A.* Sir E. Strachey, *Nov. 5*, 102.
- Maps.
  - Cost of—Payment for Maps supplied for Military purposes.
    Q. Mr. Field; *A.* Mr. Haldane, *Nov. 12*, 1021.
  - Mounting, etc., done at Southampton
    Q. Mr. Field; *A.* Sir E. Strachey, *Nov. 5*, 100, 101.

Oxford, Bishop of
- Education (England and Wales) Bill, *Com.*, *Nov. 5*, 33; *Nov. 8*, 689, 693.

Paget Estate
- Sale Proposals for.
  Q. Mr. Ginnell; *A.* Mr. Bryce, *Nov. 13*, 1305.

Pakenham Estate
- Untenanted Land, Sale proposals for.
  Q. Mr. Ginnell; *A.* Mr. Bryce, *Nov. 7*, 560, 561.

Parker, Mr. J. [Halifax]
- Manchester—Arrest of Zingar on charge preferred by Russian Authorities, *Nov. 7*, 543.

Parker, Sir G. [Gravesend]
- Africa, British Central—Labour Recruiting for Transvaal Mines, *Nov. 14*, 1488, 1489.

Parker, Sir G.—*cont.*
- Army
  - Gage, Lieutenant, Case of, *Nov. 12*, 1036.
  - Military Attachés, Language Qualifications of, *Nov. 12*, 1038, 1039.
  - Woolwich Arsenal Discharges—Length of Service of Men, etc., *Nov. 12*, 1035.
- Navy—Redistribution Scheme
  - Effect on Fighting Efficiency of the Fleet, *Nov. 5*, 106.
  - Names of Vessels, etc., *Nov. 6*, 318.
- New Hebrides Convention
  - New Officials under—Consultation of Commonwealth, in Appointing, *Nov. 14*, 1491.
  - Papers, Proposals as to Laying, *Nov. 13*, 1288.
- Newfoundland Fisheries—*Modus vivendi* with United States.
  - Correspondence, Date of Tabling and Decision of Colonial Government to test Validity of Bait Act, *Nov. 5*, 138.
  - Duration of Agreement etc., *Nov. 5*, 116.
- St. Helena, Grant-in-Aid of, proposed, *Nov. 6*, 350.
- Trade Disputes Bill, 3R., *Nov. 9*, 856, 896-900.
- Transvaal
  - Chinese Labourers
    - Immorality, Charges of—Report of Mr. Bucknill, *Nov. 14*, 1485.
    - Opium, Regulations as to, *Nov. 12*, 1045.
  - Mines, Labour Statistics, *Nov. 5*, 113, 114.

Parliament
- House of Commons
  - Construction, Changes in—Opportunity for Discussing.
    Qs. Viscount Turnour; *As.* Sir H. Campbell-Bannerman, *Nov. 6*, 349, 350.
  - Post Office in Lobby—Cards for Members, not sent by Post, Placing with Letters, proposed.
    Q. Mr. V. Kennedy; *A.* Mr. Buxton, *Nov. 6*, 332, 333.
- House of Lords
  - Adjournment of, from November 12th to November 14th, proposed.
    Os. Marquess of Ripon, *Nov. 8*, 654, 655; Lord Balfour of Burleigh, 654.

[*cont.*

Parliament—*cont.*
House of Lords—*cont.*
Peers sitting and voting, without having previously taken the Oath—Question of Privilege.
Committee of Inquiry into, proposed.
Os. Lord Ashbourne, *Nov. 5,* 10; Marquess of Ripon, 11; Marquess of Lansdowne, 12.
Erasure of Names from Division Lists, proposed.
Os. Marquess of Ripon, *Nov. 5,* 4; Earl of Halsbury, 5; Earl of Camperdown, 6, 7; Lord Clifford of Chudleigh, 8.
Henniker, Lord, Precedent of.
Os. Marquess of Ripon, *Nov. 5,* 4, 11; Earl of Halsbury, 12.
Penalties for, Question as to Enforcing.
Os. Earl of Halsbury, *Nov. 5,* 5; Earl of Camperdown, 6–8; Lord Ashbourne, 10; Lord Braye, 10, 11.
Personal Explanation.
Os. Lord Grimthorpe, *Nov. 5,* 9.
Representative Peer for Scotland—Earl of Rothes, *Nov. 12,* 917.
Houses of—Lighting, Improvement of, proposed.
Qs. Sir H. Vincent; *As.* Mr. Runciman, *Nov. 13,* 1293, 1294.

"Parliamentary Debates"
Reports, Inquiry into Method and Scope of, proposed.
Q. Mr. Byles; *A.* Mr. McKenna, *Nov. 5,* 123.

Parliamentary Elections
Expenses—Date of Presenting Return.
Q. Mr. Straus; *A.* Mr. Gladstone, *Nov. 6,* 315.
New Member Sworn—Mr. S. L. Gwynn, for Galway, *Nov. 12,* 1068.
New Writ—Armagh, County (North Armagh Division), *Nov. 5,* 82.

Parliamentary Procedure
Bills, *see that title.*
Divisions—Member entered as Voting in both Lobbies, Alteration of List.
Os. Mr. Younger, Mr. Speaker, *Nov. 9,* 855.
Meeting of Parliament—Alteration of Date from Spring to Autumn, proposed.
Q. Mr. Lynch; *A.* Sir H. Campbell-Bannerman, *Nov. 12,* 1065.

Parliamentary Procedure—*cont.*
Reform Committee, Position of.
Q. Mr. W. Redmond; *A.* Sir H. Fowler, *Nov. 6,* 334.
Resolution, Proposals for Discussing.
Q. Sir A. Acland-Hood; *A.* Sir H. Campbell-Bannerman, *Nov. 14,* 1517, 1518.
Speakers Rulings, *see* Speaker.
Strangers, Espial of—Procedure under Standing Order No. 91.
Os. Viscount Turnour, *Nov. 6,* 350, 352; Mr. Speaker, 350, 351, 352; Mr. C. Hay, 351, 352; Mr. C. Craig, 351; Sir F. Lowe, 351; Mr. A. J. Balfour, 351; Mr. Flynn, 351; Sir H. Campbell-Bannerman, 352.

Partington, Mr. O. [Derbyshire, High Peak]
Army Pensions, Period for Paying, *Nov. 7,* 530.
Land Tenure Bill—Clause 8, Cost of making Records of Farms, *Nov. 8,* 751.

Paul, Mr. H. W. [Northampton]
Trade Disputes Bill, 3R., *Nov. 9,* 866, 900–902.

Paulton, Mr. J. M. [Durham, Bishop Auckland]
Land Tenure Bill, *Con., Nov. 7,* 593; *Nov. 8,* 762, 768, 772.

Pearce, Mr. R. [Staffordshire, Leek]
Land Tenure Bill, *Con., Nov. 7,* 581–583.

Pease, Mr. H. P. [Darlington]
Local Government Board Annual Report, Particulars shown in, *Nov. 14,* 1473.
Trade Disputes Bill, *Con., Nov. 5,* 202–204.

Perkins, Mrs. Elizabeth
Case of, Proposals as to Compensation, etc.
Qs. Mr. Pickersgill, Mr. Rendall, Dr. Cooper, Mr. K. Hardie, Mr. J. Ward; *As.* Mr. Gladstone, *Nov. 7,* 540–542.
Qs. Sir G. Doughty; *As.* Mr. Gladstone, *Nov. 8,* 744, 745.

Perry-Knox-Gore Estate
Sale Proposals for.
Q. Mr. O'Dowd; *A.* Mr. Bryce, *Nov. 13,* 1308.

Persia
Anglo-Russian Negotiations, Basis of.
Q. Sir H. Cotton; *A.* Sir E. Grey, *Nov. 6,* 325.

Perth
Prison, Accommodation in.
Q. Mr. Mitchell-Thomson; *A.* Mr. Sinclair, *Nov. 5,* 96.

Peru

Parcels Post, Route for.
Q. Mr. Agnew; *A.* Mr. Buxton, *Nov. 7,* 549.

Pickersgill, Mr. E. H. [Bethnal Green, S.W.]

Gipsies, Alien—Legality of Action of Warwickshire Police in Preventing Entry to County, *Nov. 14,* 1463.

Perkins, Mrs. E., Case of, *Nov. 7,* 540, 541.

Prisons

Crêches, Establishment of, *Nov. 14,* 1465.

Enamel Ware Utensils, Use of, proposed, *Nov. 13,* 1271.

Prisoners awaiting Trial, Detention of, in Gaol, *Nov. 12,* 1057.

Summary Jurisdiction, Period of Imprisonment under, for Non-Payment of Fine—Revision of System proposed, *Nov. 14,* 1465, 1466.

Transvaal—Chinese Labourers

Complaints, Procedure in making, by Coolies, *Nov. 5,* 118; *Nov. 12,* 1042; *Nov. 14,* 1489.

Immorality, Charges of—Report of Mr. Bucknill, *Nov. 14,* 1487, 1488.

Vaccination, Cost of—Proposals for dealing with Matter, *Nov. 12,* 1061.

Piers and Harbours

[*For particular Places see their Names.*]

Pirie, Mr. D. V. [Aberdeen, N.]

Army—Distribution of Cavalry, *Nov. 14,* 1466.

Plunketstown

Stynes, Garret, Case of.
Q. Mr. Kilbride; *A.* Mr. Bryce, *Nov. 5,* 104.

Pocklington Estate

Sale Proposals for.
Q. Mr. W. Redmond; *A.* Mr. Bryce, *Nov. 7,* 564.

Poe, Admiral, Estate of

Reinstatement Claim of P. McDonnell.
Q. Mr. K. O'Brien; *A.* Mr. Bryce, *Nov. 14,* 1512.

Polling Districts

Order re-dividing, Presented, *Nov. 6,* 240, 310.

Poplar Union

Report by J. S. Davy, C.B., Presented, *Nov. 8,* 653, 720.

Poor Law, Ireland

Commission Report—Date of making Statement.
Q. Mr. Barie; *A.* Mr. Bryce, *Nov. 12,* 013.

Portsmouth

Royal Naval Barracks disturbance, *see under* Navy.

Post Office

Postmaster-General — Rt. Hon. S. Buxton.

[*For particular Places see their Names.*]

Christmas Work, Scale of Payment for.
Q. Sir C. Schwann; *A.* Mr. Buxton, *Nov. 5,* 87.

Circulation Office—Age of Supervising Officers, etc.
Mr. Steadman; *A.* Mr. Buxton, *Nov. 9,* 854.

Correspondence with Foreign Countries in 1875 and 1905.
Q. Mr. J. H. Heaton; *A.* Mr. Buxton, *Nov. 14,* 1458.

Country Post Offices—Regulations as to Display of Name of Place.
Q. Mr. A. Williamson; *A.* Mr. Buxton, *Nov. 8,* 720.

Foreign and Colonial Post Amendment (No. 14) Warrant Presented, *Nov. 7,* 437, 517.

Inland Post Amendment (No. 8) Warrant, Presented, *Nov. 7,* 437, 517.

Lottery Circulars, Prevention of Transmission of.
Q. Mr. Nield; *A.* Mr. Buxton, *Nov. 6,* 331.

Postal Officials and Political Discussions —Speech made by Sir R. Hunter.
Q. Mr. Bertram; *A.* Mr. Buxton *Nov. 14,* 1474, 1475.

Statutory Rules and Orders, 1906, Presented, *Nov. 7,* 437.

Universal Postal Union Congress in Rome —Copy of Report of British Delegates ordered, *Nov. 8,* 720.

Postmaster-General

Rt. Hon. S. Buxton.

President of the Board of Agriculture

Rt. Hon. Earl Carrington.

President of the Board of Education

Rt. Hon. A. Birrell.

President of the Board of Trade

Rt. Hon. D. Lloyd-George.

President of the Local Government Board

Rt. Hon. J. Burns.

Price, Mr. C. E. [Edinburgh, Central]

Edinburgh Law Courts, Proposals for Improving, *Nov. 14,* 1502.

Printing

See Stationery and Printing.

Prisons

[For particular Prisons, *see* Names of Places, etc.]

Crêches for Babies, Establishment of.
Q. Mr. Pickersgill; *A.* Mr. Gladstone, *Nov. 14,* 1465

[*cont.*

Prisons—*cont.*
Enamel Ware Utensils, Use of, proposed.
Q. Mr. Pickersgill; *A.* Mr. Gladstone, *Nov. 13,* 1271.
Imprisonment for non-payment of Fine, *see under* Summary Jurisdiction.
Prisoners awaiting Trial
Detention of, in Gaol.
Q. Mr. Pickersgill; *A.* Mr. Gladstone, *Nov. 12,* 1057.
Increased Facilities for Bail of, proposed.
Q. Mr. Bottomley; *A.* Mr. Gladstone, *Nov. 8,* 746.

Public Accounts Committee
Reports
Opportunity for Discussing.
Qs. Mr. Morton; *As.* Sir H. Campbell-Bannerman, *Nov. 14,* 1516.
Presented, *Nov. 7,* 571.

Public Health Acts (Building Bylaws) Bill
c. 1R.* *Nov. 5,* 142.

Quarries
Accidents in, and Proposals for Prevention.
Q. Mr. E. Davies; *A.* Mr. Gladstone, *Nov. 8,* 747.

Questions
Debate during Time for, not in Order, *Nov. 5,* 110.
Form of—Use of Expression "Seditious Statements."
Os. Mr. MacNeill, Mr. Speaker, *Nov. 14,* 1512.
Irrelevant, *Nov. 12,* 1292; *Nov. 14,* 1487.
Notice to be given of, *Nov. 8,* 727.
Speech during Time for, not Permissible, *Nov. 5,* 116; *Nov. 6,* 324.
Statements in House of Lords, Question founded on, *Nov. 6.* 334.

Railways
British Possessions, *see under* Colonies.
District Company, Fares charged by
Deputation from East Ham, Arrangements to receive.
Q. Mr. C. Hay; *A.* Mr. Kearley, *Nov. 7,* 548.
Foreign Countries, *see that title.*
Ireland, proposals for Improving Administration.
Q. Mr. V. Kennedy; *A.* Mr. Bryce, *Nov. 14,* 1513.
Cavan and Leitrim Railway, *see that title.*
Great Southern and Western Company—Second-class Accommodation between Limerick and Tralee.
Q. Mr. O'Shaughnessy; *A.* Mr. Kearley, *Nov. 7,* 533.

Railways—*cont.*
Midland Company, Practice of placing untrained Men in charge of Goods Trains.
Q. Mr. Hudson; *A.* Mr. Kearley, *Nov. 7,* 522.
Third Class Season Tickets, Issue of, proposed.
Q. Mr. Hudson; *A.* Mr. Lloyd-George, *Nov. 12,* 1003, 1004.
Third-class Sleeping Carriages, Decision as to providing.
Q. Mr. Morton; *A.* Mr. Kearley, *Nov. 5,* 129.
Q. Mr. Rees; *A.* Mr. Lloyd-George, *Nov. 12,* 1007.
Qs. Mr. Morton, Mr. K. Hardie; *As.* Mr. Kearley, *Nov. 13,* 1292, 1293.
Workmen's Trains, *see that title.*

Ramsgate
School Site, Reply to Memorial against.
Q. Mr. Alden; *A.* Mr. Birrell, *Nov. 12,* 1025.

Randles, Sir J. [Cumberland, Cockermouth]
Diplomatic and Consular Services, Conditions of Appointments to, *Nov. 6,* 326.
Land Tenure Bill, *Con., Nov. 12,* 1143, 1144.

Rawlinson, Mr. J. F. P. [Cambridge University]
Land Tenure Bill, *Con., Nov. 8,* 782, 791; *Nov. 12,* 1107.
Trade Disputes Bill, *Con., Nov. 5,* 204.

Reay, Lord
Education (England and Wales) Bill, *Com., Nov. 8,* 695–697.

Redmond, Mr. J. E. [Waterford]
Business of the House—Effect of Postponement of Motion for Adjournment, *Nov. 14,* 1519.
Galway Election Disturbance—Conduct of Police, etc., *Nov. 7,* 567, 568.
Trade Disputes Bill, 3R., *Nov. 9,* 870.
Training Colleges—Decision as to Building Grants, *Nov. 8,* 757, 759.

Redmond, Mr. W. H. K. [Clare, E.]
Clare
Land Commission Cases Awaiting Decision, *Nov. 7,* 564.
Railways—Burden Imposed on Ratepayers, etc., *Nov. 6,* 340.
Dublin Science College, Building Materials used for, *Nov. 7,* 564, 565.
Land Tenure Bill, *Con., Nov. 7,* 611–613; *Nov. 8,* 804.
Neptune Blood Estate Sale proposals—Reason for Delay, etc., *Nov. 7,* 562.
New Hebrides Convention—Representation of Australian and New Zealand Interests, *Nov. 13,* 1287.

[*cont.*

Redmond, Mr. W. H. K.—*cont.*
  Parliamentary Procedure Reform Committee, Position of, *Nov. 6*, 334.
  Pocklington Estate, Sale Proposals for, *Nov. 7*, 564.
  Soldiers Incurably Disabled, Maintenance of—Reason for Discharge of Invalids from Netley, etc., *Nov. 8*, 846.

Reenard Pier
  Works, Decision as to.
    Q. Mr Boland; *A.* Mr. Bryce, *Nov. 12*, 1009.

Rees, Mr. J. D. [Montgomery Boroughs]
  Africa, Central
    Chinde Foreshore, Decision as to, *Nov. 12*, 1041.
    Legislative Council, Progress made with Scheme for, *Nov. 5*, 112.
  Aland Islands, Russian Occupation of, *Nov. 7*, 532.
  India
    Bengal, Partition of—Local opinion, etc., *Nov. 6*, 323.
    Darjeeling—Arrest of Murderers of Mr. Goss, *Nov. 12*, 1026.
    Seditious Circulars and Speeches, Proposals for Dealing with, *Nov. 5*, 88, 110, 111.
  Local Government Act, 1888—Amendment as to Control of Expenditure, proposed, *Nov. 5*, 128.
  Macedonian Revenues, Administration of, *Nov. 14*, 1492.
  Montgomeryshire
    Fishery Board, Publication of Orders in Welsh Language, proposed, *Nov. 9*, 854.
    Sheep Dipping—Acquaintance of Agriculture Board Inspector with Welsh Language, *Nov. 14*, 1497.
  Naval Shipbuilding Programme of 1904, Carrying out of—Method of accounting for New Ships, *Nov. 12*, 1030.
  Railways—Third-class Sleeping Accommodation, Provision of, *Nov. 12*, 1007.
  Sheep Dipping Order, Inadequate Publicity given to, in Wales, alleged, *Nov. 7*, 553.
  Tibet Conventions—Provisions as to Tea Trade, *Nov. 7*, 523.

Regent's Park
  Children—Facilities for playing Games.
    Q. Mr. Whitehead; *A.* Mr. Runciman, *Nov. 12*, 1064.

Registry Offices
  Fees to Male Applicants—Result of Investigation.
    Q. Mr. Summerbell; *A.* Mr. Gladstone, *Nov. 6*, 329.

Remnant, Mr. J. F. [Finsbury, Holborn]
  Land Tenure Bill, *Con.*, *Nov. 6*, 433; *Nov. 13*, 1312–1314.
  Woolwich Arsenal Discharges—Proposals for Assisting Men, *Nov. 12*, 1039, 1040.

Rendall, Mr. A. [Gloucester, Thornbury]
  Army Nurses, Promotion System and Reason for showing Names alphabetically in Army List, *Nov. 7*, 529.
  Perkins, Mrs. E., Case of, *Nov. 7*, 540.
  Transvaal, Chinese Labourers—Charges of Immorality, Proposals as to Tabling Report on, etc., *Nov. 7*, 538.

Restaurants, etc.
  Stoppages from Wages of Employees, Application of Truck Act to, proposed.
    Q. Mr. Summerbell; *A.* Mr. Gladstone, *Nov. 6*, 330.

Richards, Mr. T. F. [Wolverhampton, W.]
  Betting by Telegraph—Registered Address of A. Magnus, *Nov. 6*, 331.
  Loughborough Brush Company, Circumstances of Granting Liquor Licence to, *Nov. 5*, 126; *Nov. 8*, 742; *Nov. 14*, 1463.
  Vaccination—Right of Civil Servants to Claim Exemption, *Nov. 14*, 1517.

Richardson, Mr. A. [Nottingham, S.]
  Land Tenure Bill, *Con.*, *Nov. 14*, 1602.
  Nottingham Gas Committee, Allegations against—Inquiry proposed, *Nov. 7*, 547.

Ridley, Viscount
  Education (England and Wales) Bill, *Com.*, *Nov. 7*, 456, 468, 469, 476.

Ripon, Marquess of—*Lord Privy Seal*
  Adjournment of the House from Nov. 12 to Nov. 14, proposed, *Nov. 8*, 654, 655.
  Africa, South, Land Settlement in
    Ridgway Commission Report—Tabling, proposed, *Nov. 14*, 1412.
    Status of Settlers, Steps taken to Safeguard Interests of, etc., *Nov. 14*, 1411, 1412.
  Education (England and Wales) Bill, *Com.*, *Nov. 5*, 77, 78; *Nov. 6*, 272–273; *Nov. 7*, 457, 463; *Nov. 8*, 685; *Nov. 12*, 949, 991, 992; *Nov. 14*, 1422.
  Peers Sitting and voting without having previously taken the Oath—Question of Privilege.
    Committee of Inquiry into, proposed, *Nov. 5*, 11.
    Erasure of Names from Division Lists, proposed, *Nov. 5*, 4.
    Henniker, Lord, Precedent of, *Nov. 5*, 4, 11.
  Transvaal, Chinese Labourers—Charges of Immorality, *Nov. 12*, 921.

Roberts, Mr. G. H. [Norwich]
- Bedford Quarter Sessions—Sentence on G. Woods and W. C. Hutchinson, *Nov. 8*, 745.

Roberts, Mr. J. H. [Denbighshire, W.]
- Indian Excise Administration Report, Information contained in, etc., *Nov. 6*, 322, 323.

Roberts, Mr. S. [Sheffield, Ecclesall]
- Land Tenure Bill, *Con.*, *Nov. 12*, 1217.

Robertson, Rt. Hon. E.—*Secretary to the Admiralty* [Dundee]
- Admiralty Chain Contracts—Procedure in obtaining Form of Tender, *Nov. 6*, 319.
- "Anson," "Benbow," "Camperdown," "Howe," "Rodney" and "Sanspareil,"
  - Expenditure on during last Eighteen Months, *Nov. 7*, 519.
  - Removal of Names from Annual Return, proposed, *Nov. 8*, 730.
- Battleships
  - Designs, Speed Specification in—Expert Opinion on Cost of Excessive Speed, etc., *Nov. 6*, 318.
  - Number of—Comparison with Foreign Countries, *Nov. 14*, 1480.
  - Unarmoured Ends, Danger of, *Nov. 8*, 726.
- Cap Ribbons, Decision as to Supply of, *Nov. 14*, 1479.
- Dartmouth—System of teaching Navigation, *Nov. 12*, 1032.
- Destroyers laid down by Great Britain, France and Germany since 1899, *Nov. 13*, 1276, 1281.
- Dockyards
  - Chatham
    - Battleship, building at, proposed, *Nov. 12*, 1032.
    - Skilled Labourers employed on Ordinary Work, *Nov. 5*, 105, 106.
  - Financial Year, Date of Commencing, etc., *Nov. 7*, 518.
- Fleets of Great Britain and Foreign Powers, Return as to
  - Guns, Additional Particulars of, proposed, *Nov. 12*, 1000.
  - Particulars shown in, *Nov. 8*, 730, 731.
- Greenwich Hospital Age Pensions, Information as to, *Nov. 13*, 1274, 1281.
- Guns
  - Date of ordering for certain Vessels, *Nov. 13*, 1282.
  - Reserve of 45 Calibre 12-inch (Mark X) Guns, *Nov. 6*, 314.

Robertson, Rt. Hon. E.—*cont.*
- Home Fleet, Constitution of, *Nov. 7*, 518; *Nov. 12*, 1031; *Nov. 14*, 1482.
- Instructors, Proposals as to, *Nov. 7*, 534.
- Lists, Vessels shown in, *Nov. 8*, 721.
- Manœuvres, Result of, *Nov. 13*, 1283.
- Memorandum—Interpretation of "Serving afloat," *Nov. 7*, 521.
- "Montagu," Salving of
  - Dockyard Men, Alleged Refusal of, to Work at Night, *Nov. 14*, 1480.
  - Replacing Sailors' Clothing worn out during, *Nov. 13*, 1281.
- Obsolete Vessels, Disposal of, *Nov. 14*, 1482.
- Officers, Retired—Regulations as to Employment in Dockyards, etc., *Nov. 6*, 317.
- Painting and Decorating of Ships at Officers' Expense, Discouragement of, *Nov. 12*, 1031.
- Portsmouth Barracks
  - Inquiry into Cause of Disturbance among Stokers, *Nov. 8*, 728, 729; *Nov. 12*, 1033; *Nov. 13*, 1284; *Nov. 14*, 1483, 1484.
  - Order given on 24th November, 1905, *Nov. 12*, 1033.
- Redistribution Scheme
  - Names of Vessels, etc., *Nov. 6*, 319.
  - Particulars of, *Nov. 5*, 83; *Nov. 8*, 729, 730.
- Shipbuilding Programme
  - Conditions determining, *Nov. 13*, 1282.
  - New Ships, Method of accounting for, *Nov. 12*, 1030.
  - Programme of 1904, carrying out of, *Nov. 12*, 1030.
  - Votes in 1901–2 and present Year for Great Britain, France and Germany, *Nov. 13*, 1266.
- Ships' Police, Proposals for abolishing, *Nov. 14*, 1472.
- Shore Establishments, Commissioned Ships' etc., Return as to Officers and Men in, proposed, *Nov. 12*, 1031.
- Start Bay, Decision as to Gun Practice in, *Nov. 5*, 106.
- Unarmoured Cruisers, proposals as to, *Nov. 8*, 726.
- "Xema" S.S.—Allegations as to Interception by British Naval Cruisers, *Nov. 8*, 727.

Robertson, Mr. J. M. [Northumberland, Tyneside]
- Egypt
  - Mixed Courts, proposed Changes in Law and Procedure of, *Nov. 8*, 740.
  - Nile Flood, Utilisation of Mud carried by, *Nov. 8*, 740.

Robson, Sir W. S.—*Solicitor-General* [South Shields]
- Land Tenure Bill, *Con.*, *Nov. 6*, 394, 407, 430, 436; *Nov. 7*, 588, 589, 590, 591, 597, 615, 616, 617, 618, 619, 633, 634, 645, 647, 648; *Nov. 8*, 769–771, 780, 784, 786, 792, 799; *Nov. 12*, 1097, 1098, 1106, 1108, 1115, 1116, 1117, 1194, 1195, 1247, 1248, 1249, 1257; *Nov. 13*, 1320–1324, 1347, 1353, 1354, 1355, 1356, 1360, 1361, 1363, 1364; *Nov. 14*, 1559–1561, 1566, 1568, 1604.
- Trade Disputes Bill, *Con.*, *Nov. 5*, 195, 196, 204.

Rogers, Mr. F. N. [Wilts, Devizes]
- Fittleton—Rent asked for War Office Land, *Nov. 8*, 732, 733.

Rome
- Universal Postal Union Congress—*See under* Post Office.

Ropner, Col. Sir E. H. [Stockton]
- Land Tenure Bill, *Con.*, *Nov. 13*, 1370.

Rosgarland Estate
- Reinstatement Claim of P. and Mrs. Colfer.
  - *Q.* Mr. Ffrench; *A.* Mr. Bryce, *Nov. 14*, 1514.

Rotherham Estate
- Untenanted Land, Disposal of.
  - *Q.* Mr. Ginnell; *A.* Mr. Bryce, *Nov. 14*, 1502, 1503.

Rothes, Earl of
- Representative Peer for Scotland, Election as, *Nov. 12*, 917.

Row
- Letter Delivery and Collection by Mail Cart Drivers, Regulation Permitting.
  - *Q.* Mr. J. O'Connor; *A.* Mr. Buxton, *Nov. 7*, 519.

Rowlands, Mr. J. [Kent, Dartford]
- Land Tenure Bill, *Con.*, *Nov. 6*, 364; *Nov. 14*, 1577, 1593, 1601.
- Unemployed Grant of £200,000, Allocation of, *Nov. 7*, 533.

Runciman, Mr. W.—*Parliamentary Secretary, Local Government Board* [Dewsbury]
- Borestone, Preservation of, as Ancient Monument, proposed, *Nov. 12*, 1064.
- Borough Council Election—Extension of Hours of Polling, proposed, *Nov. 8*, 748.
- China
  - Board of Communications, Functions of, *Nov. 12*, 1056.
  - Yatung Customs Commissioners, Nationality of, *Nov. 12*, 1056.
- Civil Service—Parliamentary Candidature of Retired Civil Servants, Regulations as to, *Nov. 13*, 1277.

Runciman, Mr. W.—*cont.*
- Congo Free State
  - Belgian Inquiry, Publication of Report of, *Nov. 12*, 1055.
  - Reform proposals, *Nov. 5*, 119.
- Customs and Excise Statistical Office—Reply to Petition of Clerks, *Nov. 13*, 1277.
- Edinburgh Law Courts, proposals for Improving, *Nov. 14*, 1502.
- Glen Glasslough Distillery, Source of Excess of Spirits found at, *Nov. 13*, 1267.
- Houses of Parliament, Improvement in Lighting of, proposed, *Nov. 13*, 1294.
- Italy—Position in Relation to Triple Alliance, *Nov. 12*, 1055.
- Local Government Board New Offices, Grant Required for, *Nov. 13*, 1293.
- Macedonian Revenues, Administration of, *Nov. 14*, 1492.
- Morocco—Algeciras Act, Powers Ratifying, *Nov. 12*, 1055.
- National Gallery, Sale of Photographs in, *Nov. 13*, 1294.
- Opium in China—Statistics as to Cultivation and Importation, *Nov. 12*, 1008.
- Regent's Park, Facilities for Children to Play Games in, *Nov. 12*, 1064.
- Taxation, Local Account—Allocation of, £9,901,290, *Nov. 14*, 1498.
- Turkey—Custom Duties, Opportunity for Discussion, *Nov. 14*, 1492.

Russell, Lord
- Education (England and Wales) Bill, *Com.*, *Nov. 8*, 698–700.

Russo-Japanese War
- British Vessels seized by Russian Cruisers—Result of Negotiations as to Claims, etc.
  - *Q.* Dr. Shipman; *A.* Sir E. Grey, *Nov. 14*, 1470.

Rutherford, Dr. V. H. [Middlesex, Brentford]
- Egypt—Alcoholic Liquors Imported (1900–1906); *Nov. 8*, 741.
- India
  - Madras—Local Information as to proposed Division of Madura District, *Nov. 13*, 1286.
  - Memorial from Imprisoned Nobles in Bikanir, Reply to, *Nov. 7*, 523.
- Rodevo, Punishment for Turkish Outrages at, *Nov. 6*, 328.
- South African War Medals, Dissatisfaction with Award of, *Nov. 5*, 108; *Nov. 12*, 1035.

Rutherford, Mr. W. W. [Liverpool, W., Derby]
- Land Tenure Bill, *Con.*, *Nov. 7*, 573–575, 616, 648; *Nov. 8*, 767; *Nov. 12*, 1077, 1087, 1088, 1191, 1200; *Nov. 13*, 1346–1348.

Ryan, Loch
Oyster Fishery Company, Alleged Obstruction to Shipping by.
Q. Mr. Barrie; *A.* Mr. Lloyd-George, *Nov. 8*, 748.

St. Albans, Bishop of
Education (England and Wales) Bill, *Com.*, *Nov. 7*, 493–495; *Nov. 8*, 697.

St. Aldwyn, Vis.
Education (England and Wales) Bill, *Com.*, *Nov. 5*, 13, 14, 19, 45, 50; *Nov. 6*, 247, 257, 260, 470, 480, 514, 515; *Nov. 8*, 675; *Nov. 12*, 930–932, 940, 947, 948; *Nov. 14*, 1429.

St. Asaph, Bishop of
Education (England and Wales) Bill, *Com.*, *Nov. 5*, 31; *Nov. 7*, 457; *Nov. 8*, 692; *Nov. 12*, 981, 982, 986; *Nov. 14*, 1425, 1446.

St. David's, Bishop of
Education (England and Wales) Bill, *Com.*, *Nov. 7*, 460; *Nov. 8*, 682; *Nov. 12*, 973; *Nov. 14*, 1419, 1420, 1421, 1430, 1443.

St. Helena
Garrison, Withdrawal of—Saving Effected, etc.
Q. Mr. H. Beach; *A.* Mr. Haldane, *Nov. 8*, 731.
Grant-in-Aid, proposed.
Q. Sir G. Parker; *A.* Sir H. Campbell-Bannerman, *Nov. 6*, 350.
Qs. Mr. H. Beach, Viscount Turnour; *As.* Mr. Churchill, *Nov. 7*, 535, 536.
Qs. Mr. H. Beach, Lord Balcarres; *As.* Mr. Haldane, *Nov. 13*, 1286.

Salisbury, Bishop of
Education (England and Wales) Bill, *Com.*, *Nov. 5*, 27, 30, 31; *Nov. 12*, 937, 940; *Nov. 14*, 1416.

Salisbury, Marquess of
Education (England and Wales) Bill, *Com.*, *Nov. 5*, 23, 36–42; *Nov. 6*, 251, 258, 259, 284–288, 299, 301–305; *Nov. 7*, 447, 448, 453, 485, 486, 487, 488, 489, 502, 505, 506, 512, 513; *Nov. 8*, 657, 660, 661, 662, 687, 688; *Nov. 12*, 954; *Nov. 14*, 1427, 1439.

Salter, Mr. C. [Hampshire, Basingstoke]
Army *personnel*, Reduction of—Disposal of Officers of Disbanded Regiments, *Nov. 7*, 530.
Land Tenure Bill, *Con.*, *Nov. 12*, 1196, 1220.
Trade Disputes Bill, *Con.*, *Nov. 5*, 190, 198–200; 3R., *Nov. 9*, 869–872, 902–906.

Samuel, Mr. S. M. [Tower Hamlets, Whitechapel]
Naturalisation, Fees charged for, *Nov. 13*, 1276.

Sasoon, Sir E. A. [Hythe]
Wireless Telegraphy Conference at Berlin—Opportunity for Discussing Convention, *Nov. 5*, 131.

Scarva
Shooting Outrage on Mr. Martin's Horse—Police Efforts to discover Offenders.
Q. Mr. Liddell; *A.* Mr. Bryce, *Nov. 12*, 1010.

Schwann, Mr. C. D. [Cheshire, Hyde]
Transvaal
  Chinese Labour
    Desertions (August to October), *Nov. 13*, 1288.
    Repatriations effected in September and October, *Nov. 13*, 1287.
  Johannesburg
    Men willing to Work for 5s. a Day, *Nov. 12*, 1042.
    Statistics as to White Labour, *Nov. 7*, 535.
  Mines—Labour Statistics, *Nov. 7*, 534.
  White Labour, Wages of, *Nov. 12*, 1042.

Schwann, Sir C. E. [Manchester, N.]
Post Office-Scale of Payment for Christmas Work, *Nov. 5*, 87.

Scotland
Secretary for—Rt. Hon. J. Sinclair.
Lord Advocate—Rt. Hon. T. Shaw.
Solicitor-General—Mr. A. Ure.
[*See also* Names of Places.]
Deer Forests, Proposals as to obliging Landlords to Fence.
Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 5*, 135.
Education, *see* Education, Scotland.
Fisheries, *see under title* Fisheries.
House-letting, Inquiry into System of, proposed.
Q. Mr. Cleland; *A.* Mr. Sinclair, *Nov. 5*, 138.
Lights on Vehicles, By-laws as to—Return ordered, *Nov. 14*, 1458.
Probate Administration in.
Q. Mr. Sears; *A.* Mr. Asquith, *Nov. 5*, 120.
Small Holdings
  Congested Districts, Number in.
  Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 12*, 1020.
  Return as to, proposed.
  Q. Mr. Mitchell - Thomson; *As.* Mr. Sinclair, *Nov. 5*, 133.
  Statistics as to.
  Q. Mr. A. Dewar; *A.* Mr. Sinclair, *Nov. 5*, 135, 136.

Scott, Mr. A. H. [Ashton-under-Lyne]
Volunteers—Retirement Regulations, *Nov. 14*, 1467.

Scott, Sir S. E. [Marylebone, W.]
Land Tenure Bill, *Con.*, *Nov. 12*, 1223.
Sailors and Soldiers, Civil Employment for, on Discharge—Government Proposals, *Nov. 6*. 349.
Soldiers Incurably Disabled, Maintenance of—Reason for Discharge of Invalids from Netley, *Nov. 8*, 829.
Volunteer Camp Training, Period for, *Nov. 12*, 1040.

Sears, Mr. J. E. [Cheltenham]
Income Tax
Amount paid as Conscience Money, etc., during last Ten Years, *Nov. 7*, 520.
Assessment—Return as to Appeals (1904–5), proposed, *Nov. 12*, 1025.
Probate Administration in Scotland, *Nov. 5*, 120.

Seaverns, Mr. J. H. [Lambeth, Brixton]
Australian Commerce (Trade Descriptions) Act, 1905—Effect on British Trade, etc., *Nov. 8*, 720.

Secretary of State for the Colonies
Rt. Hon. Earl of Elgin.

Secretary of State for Foreign Affairs
Rt. Hon. Sir E. Grey.

Secretary of State for the Home Department
Rt. Hon. H. Gladstone.

Secretary of State for India
Rt. Hon. J. Morley.

Secretary for Scotland
Rt. Hon. J. Sinclair.

Secretary of State for War
Rt. Hon. R. B. Haldane.

Seddon, Mr. J. R. [Lancashire, Newton]
Land Tenure Bill, *Con.*, *Nov. 12*, 1140-1142.

Seely, Maj. J. E. B. [Liverpool, Abercromby]
Soldiers, Incurably Disabled, Maintenance of—Invalids Discharged from Netley, etc., *Nov. 8*, 737, 827.
Transvaal Government Mining Department Returns, Public Right to Inspect, *Nov. 12*, 1000.

Servia
Commercial Treaty with Great Britain, Proposals as to.
Q. Mr. Bottomley; *A.* Sir E. Grey, *Nov. 6*, 328.

Shackleton, Mr. D. [Lancashire, Clitheroe]
Trade Dispute Bill, *Con.*, *Nov. 5*, 191, 233
3R., *Nov. 9*, 892–896.
Date of Taking, *Nov. 7*, 571.

Sheep
Dipping Order, Inadequate Publicity given to, in Wales, alleged.
Q. Mr. Rees; *A.* Sir E. Strachey, *Nov. 7*, 553, 554.

Shipman, Dr. J. G. [Northampton]
Russo-Japanese War—Result of Negotiations as to British Vessels seized by Russian Cruisers, *Nov. 14*, 1470.

Shop Hours Act
Order made under, Presented, *Nov. 6*, 240, 310.

Simon, Mr. J. A. [Essex, Walthamstow]
Trade Disputes Bill, 3R., *Nov. 9*, 889–892.

Sinclair, Rt. Hon. J.—*Secretary for Scotland* [Forfarshire]
Ardarroch Pier, Application for Grant for, *Nov. 14*, 1500.
Broad Bay, Prevention of Illegal Trawling in, *Nov. 14*, 1499.
Cape Wrath, Illegal Trawling Case—Regulations as to Evidence of Lighthouse-keepers, *Nov. 6*, 340.
Congested Districts Board, Crofter Settlement Scheme—Officers carrying out Instructions of Board, *Nov. 7*, 556.
Deer Forests, Proposals as to Obliging Landlords to Fence, *Nov. 5*, 135.
Durness Bay, Illegal Trawling in, on 9th September—Reason for not taking Proceedings, etc., *Nov. 7*, 558; *Nov. 14*, 1300, 1301.
Edinburgh Tramway Bill, Cause of Delay in Introducing, *Nov. 12*, 1021.
Education
Books, Charge for, at Schools in Ross and Cromarty, *Nov. 13*, 1275.
Scottish History, Proposals for Teaching, *Nov. 8*, 753.
Fisheries
Cruiser—Circumstances of Cruise in Western Highlands, *Nov. 5*, 137.
"Pioneer" Motor Boat, Result of Working of, *Nov. 13*, 1273.
Whaling Stations, Damage caused by, Proposals for Dealing with Matter, *Nov. 7*, 556.
Glasgow—Barlinnie Prison Accommodation, *Nov. 14*, 1499.
House-letting, Inquiry into System of proposed, *Nov. 5*, 138.
Land Tenure Bill, *Con.*, *Nov. 14*, 1617.

[*cont.*

Sinclair, Rt. Hon. J.—*cont.*
Lewis, Island of
Aignish Settlement, Defects in and Person responsible for, *Nov. 5*, 134, 135; *Nov. 14*, 1498.
Children, Underfed, Proposals for bettering Condition of, *Nov. 5*, 137.
Equivalent Grant, Proposals for Expending, *Nov. 5*, 136.
Migration of Cottars to Mainland, Proposals for Facilitating, *Nov. 6*, 338.
Sanitary Condition, Proposals for Improving, *Nov. 7*, 558.
Dittmar's, Dr., Report Tabling of, proposed—Decision as to Adopting Recommendations, etc., *Nov. 6*, 338, 339; *Nov. 13*, 1300.
Schools Water Supply, Proposals for Improving, *Nov. 13*, 1299.
Stornoway
Inspector of the Poor, Duties of, *Nov. 14*, 1501.
Murray's Close, Condition of, *Nov. 14*, 1501.
Sanitary Condition, Proposals for Improving, *Nov. 6*, 340.
Trawling, Illegal—Cases Reported by Lightkeepers at Tiumpan Head, *Nov. 13*, 1300.
Local Government Board
Medical Inspectors, Increase in Number of, proposed, *Nov. 6*, 339.
Vote, Subhead B—Showing Subsistence Allowances of Inspectors in Detail, proposed, *Nov. 5*, 135.
Minch, Closing of, against Trawlers, proposed, *Nov. 7*, 557.
Moray Firth, Foreign Trawlers in, *Nov. 6*, 339.
Motors—Applications received for Limitation of Speed, *Nov. 5*, 95.
Perth Prison, Accommodation in, *Nov. 5*, 96.
Small Holdings.
Congested Districts, Number in, *Nov. 12*, 1020.
Return as to, proposed, *Nov. 5*, 133.
Statistics as to, *Nov. 5*, 136.
Small Landholders (Scotland) Bill, proposals as to, *Nov. 7*, 559.
Small Landowners Bill—Making retrospective from Day of First Reading, proposed, *Nov. 7*, 558.
Trawling, Illegal—Protection of Fishing Grounds.
Additional Cruiser, proposals for, *Nov. 7*, 557.
Cruisers' Log-books, Inspection of, proposed, *Nov. 14*, 1500.

Sinclair, Rt. Hon. J.—*cont.*
Trawling—*cont.*
Lighthouse Keepers' Evidence, Regulations as to, *Nov. 14*, 1501, 1502.
Members of Sea-Board Constituencies, Permitting to accompany Cruisers, proposed, *Nov. 7*, 559.
Prohibition of Sale of forfeited Nets, proposed, *Nov. 7*, 556.
Uig Medical Officer, Cause for Absence of etc., *Nov. 13*, 1299.
Unemployed Workmen Act.
Allocation of Granr of £200,000, *Nov. 14*, 1500.
Committees formed in Scotland, *Nov. 13*, 1298.

Skeagh Estate
Purchase of—Turbary Rights of Tenants.
Q. Mr. S. Young; *A.* Mr. Bryce, *Nov. 13*, 1303.

Sloan, Mr. T. H. [Belfast, S.]
Ballycastle Harbour Improvement, Decision as to, *Nov. 5*, 104.
Liverpool Victoria Legal Friendly Society, proposal for converting into Limited Liability Company, *Nov. 6*, 312.
Moor Park Troops, Distance marched by, on 2nd September—Authority for holding Military Sports, etc., *Nov. 8*, 725.
Stationery and Printing—Carriage paid on Samples by Irish Contractors, *Nov. 7*, 570.
Taxation Inspector's Clerk, Reason for payment of Gratuity to, on Retirement, *Nov. 13*, 1268.

Small Landholders (Scotland) Bill
Proposals as to.
Qs. Mr. Weir, Lord Balcarres; *As.* Mr. Sinclair, *Nov. 7*, 559.

Small Landowners Bill
Making Retrospective from Day of First Reading, proposed.
Q. Mr. J. C. Wason; *A.* Mr. Sinclair, *Nov. 7*, 558.

Smeaton, Mr. D. M. [Stirlingshire]
Borestone, Preservation of, as Ancient Monument, proposed, *Nov. 12*, 1063, 1064.

Smith, Mr. A. H. [Herts., Hertford]
Land Tenure Bill, *Con.*, *Nov. 6*, 367, 368, 393, 435; *Nov. 7*, 602, 637, 645; *Nov. 8*, 780, 807; *Nov. 12*, 1082, 1096, 1152, 1190, 1240; *Nov. 13*, 1344–1346, 1355, 1359, 1362, 1365; *Nov. 14*, 1557, 1563, 1585.
Date of taking, *Nov. 5*, 142.

Smith, Mr. F. E. [Liverpool, Walton]
  Navy
    "Anson," "Benbow," "Camperdown," "Howe," "Rodney," and "Sanspareil"—Removal of names from Annual Return, proposed, *Nov. 9*, 730.
    Expenditure on certain Battleships during last Eighteen Months, *Nov. 7*, 519.
    Home Fleet, Constitution of, *Nov. 12*, 1031; *Nov. 14*, 1482.
    Redistribution Scheme, Particulars of, *Nov. 8*, 729.
    Standard of Strength for, *Nov. 12*, 1067.
  Trade Disputes Bill, *Con.*, *Nov. 5*, 164–166, 209, 213, 214.
  Workmen's Compensation Bill—Date of taking Report Stage, *Nov. 12*, 1067.

Smyth, Mr. T. [Leitrim, S.]
  Brady and Moore, Messrs., Estates of—Reinstatement Claim of E. McGuinness, *Nov. 12*, 1008.
  Cavan and Leitrim Railway—Proposals as to Flag Stations, *Nov. 13*, 1310.
  Crofton Estate—Reinstatement Claims of T. Travers and E. McLoughlin, *Nov. 12*, 1008.
  Lauder Estate—Reinstatement Claim of T. McGarty, *Nov. 13*, 1302.

Snowdon, Mr. P. [Blackburn]
  Liverpool Victoria Legal Friendly Society, Proposal for converting into Limited Liability Company, *Nov. 5*, 122.

Soap
  Import Duty on Foreign Soap, Removal of, proposed.
    Q. Mr. Bottomley; *A.* Mr. Asquith, *Nov. 5*, 121.

Soap Trust
  Dangers of and Proposals for Protection of the Public.
    Q. Mr. Chiozza Money; *A.* Mr. Lloyd-George, *Nov. 12*, 1002, 1003.

Soares, Mr. E. J. [Devon, Barnstaple]
  Land Tenure Bill, *Con.*, *Nov. 7*, 618.

Solicitor-General
  Sir W. S. Robson

Solicitor-General for Ireland
  Mr. R. Barry

Solicitor-General for Scotland
  Mr. A. Ure

South African War
  Medals, Dissatisfaction with System of awarding.
    Qs. Dr. Rutherford; *As.* Mr. Haldane, *Nov. 5*, 108; *Nov*, *12*, 1035.

Southwark, Bishop of
  Education (England and Wales) Bill, *Com.*, *Nov. 5*, 17; *Nov. 6*, 307; *Nov. 7*, 438–442, 446; *Nov. 14*, 1442.

Southwell Estate
  Sale Proposals for.
    Q. Mr. O'Shaughnessy; *A.* Mr. Bryce, *Nov. 14*, 1469.

Speaker, and Deputy Speaker, Rulings of
  Business of the House—Effect of Postponement of Motion for Adjournment, *Nov. 14*, 1518.
  Divisions—Member entered as Voting in both Lobbies, Alteration of List, *Nov. 9*, 855.
  Land Tenure Bill
    Adjournment of Debate, Question as to, *Nov. 12*, 1206.
    Amendments already partly discussed, Procedure as to Moving, *Nov. 12*, 1081.
    Amendments in Order and Amendments out of Order, *Nov. 7*, 591; *Nov. 8*, 762.
    Amendments out of Order, *Nov. 12*, 1233, 1234.
    County Court Judges, Attack on, was not in Order, *Nov. 14*, 1572, 1573.
    Dealing with matters already disposed of, was out of Order, *Nov. 8*, 774.
    Interruptions to Debate, 1189.
    Irrelevant matter, Introduction of, *Nov. 12*, 1129, 1177, 1202, 1203, 1224, 1259; *Nov. 13*, 1376, 1378, 1379; *Nov. 14*, 1543, 1572.
    Member was not entitled to make a Speech on withdrawing his Amendment, *Nov. 8*, 803.
    "Slanderer," use of Word in Debate, not in Order, and must be withdrawn, *Nov. 12*, 1254, 1255.
  Members addressing Members in other Quarters of the House, should address them in the Third Person, *Nov. 14*, 1601.
  Speeches should be addressed to the Chair, *Nov. 14*, 1600, 1604.
  Strangers, Espial of—Procedure under Standing Order 91, *Nov. 6*, 350, 351, 352.
  Trade Disputes Bill
    Discussion on a Clause as amended was undesirable, *Nov. 5*, 166, 169.
    Interpretation of the Measure when it passes into Law, not within the scope of the Speaker, *Nov. 9*, 866.
    Irrelevant matter, Introduction of, *Nov. 5*, 222; *Nov. 9*, 859, 864, 865.
    Motion for Adjournment of the House, Refusal of, *Nov. 5*, 224.

Stanger, Mr. H. Y. [Kensington, N.]
Corrupt Practices Act—Revision of Section 2, proposed, *Nov. 6*, 336.

Stanley of Alderley, Lord
Education (England and Wales) Bill, *Com.*, *Nov. 5*, 17, 26, 30; *Nov. 6*, 258, 268–270, 283, 305–307; *Nov. 7*, 460, 470, 476, 489–492; *Nov. 8*, 662, 665, 666, 692; *Nov. 12*, 934–937, 978–981; *Nov. 14*, 1413, 1416, 1422, 1425, 1426, 1428, 1440–1442, 1444.

Stanmore, Lord
Education (England and Wales) Bill, *Com.*, *Nov. 6*, 307; *Nov. 8*, 668; *Nov. 12*, 947.

Starkey, Mr. J. R. [Notts., Newark]
Land Tenure Bill, *Con.*, *Nov. 12*, 1142; *Nov. 14*, 1594.

Start Bay
Naval Gun Practice, Decision as to.
Q. Mr. Mildmay; *A.* Mr. E. Robertson, *Nov. 5*, 106.

Stationery and Printing
Irish Contractors, Carriage Paid on Samples by.
Qs. Mr. Sloan; *As.* Mr. McKenna, *Nov. 7*, 570.
Wyman and Sons, Messrs.—Allegations as to Dismissal of Trade Union Employees.
Qs. Mr. Summerbell; *As.* Mr. McKenna, *Nov. 6*, 336.

Staveley-Hill, Mr. H. [Staffordshire, Kingswinford]
Land Tenure Bill, *Con.*, *Nov. 7*, 622; *Nov. 12*, 1223, 1224.

Steadman, Mr. W. C. [Finsbury, Central]
Customs Launches—Hours of Labour, etc. of Crews, *Nov. 6*, 313.
Post Office Circulation Office—Age of Supervising Officers, *Nov. 9*, 854.

Stepney
Workhouse, Regulations as to Admission to—Case of Lily Hobson.
Q. Dr. Cooper; *A.* Mr. Burns, *Nov. 7*, 546.

Stewart-Smith, Mr. D. [Westmoreland, Kendal]
Land Tenure Bill, *Con.*, *Nov. 12*, 1183–1185, 1187.
Trade Disputes Bill, *Con.*, *Nov. 5*, 196–198.

Stornoway
See Lewis, Island of.

Strachey, Sir E. [Somerset, S.]
Burwell Estate Small Holdings Scheme, Particulars of, *Nov. 6*, 334, 335.
Crown Lands
Agency, Reason for Change in, *Nov. 8*, 751.

Strachey, Sir E.—*cont.*
Crown Lands—*cont.*
Notices to Quit, Reason for and Proposals for Utilising Land, *Nov. 8*, 750.
Tenants, Compensation to, on Termination of Tenancy, *Nov. 13*, 1293.
Land Tenure Bill, *Con. Nov.*, *6*, 396, 404–405, 412, 423; *Nov. 7*, 584, 601, 605, 606, 626; *Nov. 8*, 762, 763, 778; *Nov. 12*, 1092, 1093, 1096, 1119, 1120, 1125, 1144, 1201, 1233, 1234, 1236; *Nov. 13*, 1316–1318; *Nov. 14*, 1537, 1538, 1557, 1563, 1564, 1578, 1582–1586, 1588, 1593, 1599, 1600, 1611, 1615.
Clause 8—Cost of Making Records of Farms, *Nov. 8*, 752.
Montgomeryshire
Fishery Board Orders, Publication of in Welsh Language, proposed, *Nov. 9*, 854.
Sheep Dipping—Acquaintance of Inspector with Welsh Language, *Nov. 14*, 1497.
Ordnance Survey
Ireland
Control of, by Agricultural Board, proposed, *Nov. 5*, 102.
Dublin Office Grounds, Cost of Upkeep of, *Nov. 5*, 100.
Map-mounting, etc., done at Southampton, *Nov. 5*, 101.
Sheep Dipping Order, Inadequate Publicity given to, in Wales, Alleged, *Nov. 7*, 554.
Witley Common, Proposals for Inclosing Portion of, *Nov. 5*, 101.

Straits Settlements
Currency, Changes in.
Qs. Mr. Mitchell-Thomson; *As.* Mr. Churchill, *Nov. 7*, 539.
Cause for Order as to.
Q. Sir D. B. Jones; *A.* Mr. Churchill, *Nov. 12*, 1043, 1044.
Effect on Salaries, etc.
Q. Mr. T. H. Davies; *A.* Mr. Churchill, *Nov. 14*, 1470.
Federated Malay States
Gambling Licences
Abolition of, proposed.
Q. Mr. J. C. Wason; *A.* Mr. Churchill, *Nov. 12*, 1053.
Report—Information given in.
Q. Mr. Laidlaw; *A.* Mr. Churchill, *Nov. 5*, 114.
Revenue derived from.
Q. Mr. Byles; *A.* Mr. Churchill, *Nov. 14*, 1491.
Opium Consumed and Revenue Derived during last Ten Years.
Date of Presenting Return.
Q. Mr. A. Allen; *A.* Mr. Churchill, *Nov. 13*, 1274, 1275.

Straus, Mr. B. S. [Tower Hamlets, Mile End]
Coinage and Currency—Publication of Monthly Balance Sheet, by Banks, as to Gold Reserve, proposed, *Nov. 13*, 1290.
Parliamentary Elections Expenses—Date of Presenting Return, *Nov. 6*, 315.

Sugar
Beet, Eighty-eight per cent., f.o.b. Hamburg—Particulars of Prices, 1896–1906.
Q. Mr. Mitchell-Thomson; *A.* Mr. Lloyd-George, *Nov. 12*, 1004.
Crops in 1901–2 and 1905–6.
Q. Mr. Mitchell-Thomson; *A.* Mr. Lloyd-George, *Nov. 12*, 1004.

Summary Jurisdiction
Imprisonment for Non-Payment of Fine, Period of.
Q. Mr. Pickersgill; *A.* Mr. Gladstone, *Nov. 14*, 1466.
System, Revision of, proposed.
Q. Mr. Pickersgill; *A.* Mr. Gladstone, *Nov. 14*, 1465.

Summerbell, Mr. T. [Sunderland]
Land Tenure Bill, *Con.*, *Nov. 12*, 1128, 1129.
Registry Offices—Investigation of Fees charged to Male Applicants, etc., *Nov. 6*, 329.
Restaurants, etc., Stoppages from Wages of Employees in—Application of Truck Act, proposed, *Nov. 6*, 330.
Stationery and Printing—Allegations as to Dismissal of Trade Union Employees by Messrs. Wyman & Sons, *Nov. 6*, 336.
Trinidad indentured Labour, Regulations as to, *Nov. 6*, 325.
Unemployed Distress Committees—Change of Name, proposed, *Nov. 6*, 313.

Taxation
Commissioners' Clerks, Remuneration Paid to.
Q. Mr. Myer; *A.* Mr. McKenna, *Nov. 5*, 123.
Inspector, Clerk to—Reason for Payment of Gratuity of £78 on Retirement.
Q. Mr. Sloan; *A.* Mr. McKenna, *Nov. 13*, 1268.
Local Taxation Accounts, Allocation of £9,901,290 to.
Q. Mr. Flynn; *A.* Mr. Runciman, *Nov. 14*, 1498.

Taylor, Mr. T. C. [Lancashire, S.E., Radcliffe]
Transvaal Chinese Labourers — Opium, Regulations as to, *Nov. 12*, 1044.

Telegraph Service
[*See also names of places.*]
Betting by Telegraph—Registered Address of A. Magnus.
Q. Mr. T. F. Richards; *A.* Mr. Buxton, *Nov. 6*, 331, 332.

Telegraph Service—*cont.*
Central Telegraph Office—Overtime during June, July and August.
Q. Mr. A. Allen; *A.* Mr. Buxton, *Nov. 7*, 518.
Delays, Cause of and Proposals for Preventing.
Q. Mr. W. T. Wilson; *A.* Mr. Buxton, *Nov. 7*, 519, 520.
Policy as to Size of Permanent Establishments, etc.
Q. Mr. W. T. Wilson; *A.* Mr. Buxton, *Nov. 6*, 315.
Wireless Telegraphy, *see that title.*

Telephone Service
[*See also names of places.*]
Charges, System of Entering and of Rendering Accounts.
Q. Mr. Courthope; *A.* Mr. Buxton, *Nov. 7*, 548.

Tennant, Mr. E. P. [Salisbury]
Land Tenure Bill, *Con.*, *Nov. 7*, 609.

Thorne, Mr. W. [West Ham, S.]
Bedford Quarter Sessions—Sentence on G. Woods and W. C. Hutchinson, *Nov. 8*, 745.
Cabs and Omnibuses (Metropolis) Select Committee, recommendation of, *Nov. 6*, 331.
Workmen's Trains—Amendment of Cheap Trains Act, proposed, *Nov. 12*, 1003.

Tibet
Conventions—Provisions as to Tea Trade.
Q. Mr. Rees; *A.* Mr. Morley, *Nov. 7*, 523.

Tomkinson, Mr. J. [Cheshire, Crewe]
Land Tenure Bill, *Con.*, *Nov. 12*, 1149, 1150, 1237.
Liverpool Victoria Legal Friendly Society, Proposal for converting into Limited Liability Company, *Nov. 6*, 312.

Trade, Board of
President—Rt. Hon. D. Lloyd-George.
Parliamentary Secretary—Mr. H. E. Kearley.
Tapeholders, Conditions of Employment of.
Qs. Mr. H. J. Craig, Mr. Jenkins; *As.* Mr. Lloyd-George, *Nov. 14*, 1493.

Trade Disputes Bill
c. *Con.*, *Nov. 5*, 145.
3R., *Nov. 9*, 856.
l. 1R.* *Nov. 12*, 918.
Date of Taking.
Q. Mr. Shackleton; *A.* Sir H. Campbell-Bannerman, *Nov. 7*, 571.

Trade Disputes Bill—*cont.*

- Debates on Consideration (Commons), *Nov. 5*, 145, and Third Reading, *Nov. 9*, 856.
  - Agrarian Disputes, Definition of as "Trade Disputes" and possible Effect of the Bill on, 233–236, 858–878.
  - American Methods of Industrial Warfare, Introduction of, by the Bill, alleged, 903.
  - Bowen *v.* Hall, Case of, 150.
  - Breach of Contract, Liability of Third Party, 152–156, 897, 898.
  - Class Legislation, Objections to, 158, 161, 162, 164, 886, 888, 904, 910.
  - Clause 3
    - Drafting of, 151.
    - Omission of, proposed, 145–157.
  - Clause 4
    - In page 2, line 4, to leave out words "or any branch thereof," 175.
    - In page 2, lines 5 and 16, to leave out the words "or officials," proposed, 175–191.
    - In page 2, line 7, to leave out the words "for the recovery of damages," 191–204.
    - In page 2, line 9, after the word "Court," to insert words "If such action be brought by or on behalf of workman or master engaged in the dispute," proposed, 222–224.
    - In page 2, lines 9 and 10, to leave out words "provided that," 229.
    - In page 2, line 11, to leave out words "such unions" and insert words "trade unions," 229.
    - In page 2, line 17, to add words, "and shall include any combination as therein defined notwithstanding such combination may be a branch of a trade union," 232.
    - Insertion of words at end "except in respect to any tortious act committed by or on behalf of a trade union in furtherance of a dispute," 229–232.
    - Insertion of words "in contemplation or furtherance of a trade dispute, proposed, 213–216.
    - Omission of, proposed, 157–172.
  - Clause 5, Recommittal of Bill in Respect of, proposed, 856–878.
  - Definition of Term "Trade Dispute," 232, 233, 856–681, 869, 876.
  - Government Concessions to the Labour Party, 160, 161, 170, 219, 896, 899, 905, 906, 913.

Trade Disputes Bill—*cont.*

- Debate on Consideration—*cont.*
  - Injunctions, Immunity of Unions from Actions for, 192–204.
  - Intimidation, Instances of, 147, 148, 149, 864.
  - Liability of Funds of Unions for Actions for Recovery of Damages for Tortious Acts, 157–172, 885, 887, 909, 914.
  - Lumley *v.* Gye, Case of, 151.
  - Mogul Case, 150.
  - Picketing, Peaceful Persuasion, etc.—Reason for Omission of Words, "peaceably and in a reasonable manner," 882, 883, 887, 888.
  - Political Disputes, Exemption of, proposed, 233–236, 858–861.
  - Progress of Trade Unions during last Thirty Years, 895.
  - Quinn *v.* Leatham, Case of, 898.
  - Right of Union Men to refuse to work with Non-union Men, 149, 857.
  - Taff Vale Decision, Effect of, 163, 167, 883–885, 890, 900.
- Eleven o'Clock Rule, Suspension of
  - *Motion* (Sir H. Campbell-Bannerman), *Nov. 5*, 142.

Trade Reports

- Annual Series Presented, *Nov. 5*, 3, 83.
- Miscellaneous Series Presented, *Nov. 7*, 437, 517.

Trade Unions

- Out-of-Work Benefits, Proposals for Encouraging.
  - *Q.* Mr. Alden; *A.* Mr. Kearley, *Nov. 7*, 522.

Transvaal

- British Indians, *Status* of—Proposals as to Inquiry, Names of Persons sending Telegram, etc.
  - *Qs.* Sir H. Cotton; Mr. Byles; *As.* Mr. Churchill, *Nov. 14*, 1484, 1485.
- Chinese Labourers
  - Complaints, Procedure in making, by Coolies.
    - *Qs.* Mr. Pickersgill; *As.* Mr. Churchill, *Nov. 5*, 118, 119; *Nov. 12*, 1042; *Nov. 14*, 1489, 1490.
  - Desertions (August–October).
    - *Q.* Mr. C. D. Schwann; *A.* Mr. Churchill, *Nov. 13*, 1288.
  - Immorality, Charges of—Proposals as to Tabling Mr. Bucknill's Report, etc.
    - *Qs.* Archbishop of Canterbury, Marquess of Ripon, *Nov. 12*, 921.

[*cont.*

Transvaal—*cont.*
Chinese Labourers—*cont.*
Immorality, Charges of—*cont.*
Qs. Mr. Morrell, Mr. Rendall, Mr. Dalziel; *As.* Mr. Churchill, Sir H. Campbell-Bannerman, *Nov. 7,* 538, 539.
Qs. Mr. Dalziel, Sir G. Parker, Mr. Lehmann, Mr. Walsh, Mr. Chiozza Money, Mr. Mackarness, Mr. MacNeill, Mr. J. Ward, Mr. Lupton, Mr. Pickersgill; *As.* Mr. Churchill, Mr. Speaker, *Nov. 14,* 1485–1488.

Number Employed in November 1905 and 1906.
Q. Mr. Dalziel; *A.* Mr. Churchill, *Nov. 14,* 1489.

Opium, Regulations as to.
Qs. Mr. T. Taylor, Sir G. Parker, Mr. Lupton, Sir H, Cotton, *Nov. 12,* 1044, 1045.

Repatriations effected in September and October.
Q. Mr. C. D. Schwann; *A.* Mr. Churchill, *Nov. 13,* 1287.

Vested Interests, Government Purchase of, to terminate Employment of Chinese, proposed.
Q. Mr. Verney; *A.* Sir H. Campbell-Bannerman, *Nov. 8,* 725, 726.

Elections — Letter written by Lord Selborne to Sir P. Fitzpatrick.
Qs. Mr. Molteno, Mr. Dalziel, Mr. J. Ward Mr. Lyttelton; *As.* Mr. Churchill, Sir H. Campbell-Bannerman, *Nov. 12,* 1051–1053.

Johannesburg
Men willing to Work for 5s. a Day, Allegations as to.
Q. Mr. C. D. Schwann; *A.* Mr. Churchill, *Nov. 12,* 1042.

Statistics as to White Labour.
Q. Mr. C. D. Schwann; *A.* Mr. Churchill, *Nov. 7,* 535.

Mines

Chinese Labour for, *see subheading* Chinese Labour.

Government Mining Department Returns, Public right to Inspect.
Q. Major Seely; Mr. Churchill, *Nov. 12,* 1000.

Labour Statistics.
Qs. Sir G. Parker; *As.* Mr. Churchill, *Nov. 5,* 113, 114.
Q. Mr. C. D. Schwann; *A.* Mr. Churchill, *Nov. 7,* 534, 535.

Transvaal—*cont.*
Self-Government
Franchise rights of Aliens.
Q. Mr. Fell; *As.* Sir H. Campbell-Bannerman, *Nov. 14,* 1481, 1482.

Land Settlement Scheme, Provision as to Settlers under.
Qs. Mr. Lyttelton; *As.* Sir H. Campbell-Bannerman, *Nov. 12,* 1067, 1068.

Letters Patent, Date of Issuing.
Qs. Mr. Lyttelton, Mr. Dalziel; *As.* Sir H. Campbell-Bannerman, *Nov. 12,* 1068.

White Labour

Effect of Employment of Chinese.
Q. Mr. Fell; *A.* Mr. Churchill, *Nov. 8,* 739.

Wages, Statistics as to.
Q. Mr. C. D. Schwann; *A.* Mr. Churchill, *Nov. 12.* 1042.

Trawling
Foreign Trawlers, Damage done to English Fishing Gear by.
Q. Mr. Mallet; *A.* Mr. Lloyd-George, *Nov. 5,* 101.

Illegal-Prohibition of Sale of Forfeited Nets, proposed.
Q. Mr. J. C. Wason; *A.* Mr. Sinclair, *Nov. 7,* 556.

Lighthouse-keepers' Evidence, Regulations as to.
Q. Mr. Morton; *A.* Mr. Sinclair, *Nov. 14,* 1501, 1502.

Protection of Fishing Grounds

Additional Cruiser, etc., Proposals as to.
Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 7,* 557.

Log-books of Cruisers, Inspection of, proposed.
Qs. Mr. Morton; *As.* Mr. Sinclair, *Nov. 14,* 1499, 1500.

Members of Sea-board Constituencies, Permitting to accompany Cruisers, proposed.
Q. Mr. Morton; *A.* Mr. Sinclair, *Nov. 7,* 559.

Treasury
First Lord—Rt. Hon. Sir H. Campbell-Bannerman.

Trinidad
Indentured Labour, Regulations as to.
Q. Mr. Summerbell; *A.* Mr. Churchill, *Nov. 6,* 325.

Turkey
Customs Duties, Proposed Increase in—Date of laying Papers and Opportunity for Discussion.
Q. Mr. Lynch; *A.* Mr. Runciman, *Nov. 14,* 1492.

Turnour, Lord [Sussex, Horsham]
  Army
    Gage, Lieut., Case of, *Nov. 12*, 1037.
    Pitt, Sergeant (now Private), Case of, *Nov. 7*, 529.
    Preston Barracks, Utilisation of, for Cavalry, *Nov. 13*, 1284, 1285.
  Burwell Estate Small Holdings Scheme, Particulars of, *Nov. 6*, 335.
  Cocking – Authority for Redirection of Registered Letters, *Nov. 6*, 332.
  Enfield—Case of A. Ball, *Nov. 13*, 1292.
  Fowler, Rex *v.*—Decision as to Proceedings for Perjury, *Nov. 7*, 554.
  Hollesley Bay Labourers voting at London Municipal Elections, *Nov. 13*, 1295.
  House of Commons, Construction, Changes in—Opportunity for discussing, *Nov. 6*, 349, 350.
  Land Tenure Bill, *Con.*, *Nov. 7*, 583, 584, 604, 605; *Nov. 8*, 763, 781, 793, 801–803, 808; *Nov. 12*, 1076, 1094, 1095, 1105, 1176, 1177, 1192, 1214, 1238, 1254.
  Navy
    Destroyers laid down by Great Britain, France and Germany since 1899, *Nov. 13*, 1275, 1281.
    Gun Contracts for certain Vessels, Date of, *Nov. 13*, 1281.
    Manœuvres, Result of, *Nov. 13*, 1283.
    Redistribution Scheme — Names of Vessels, *Nov. 6*, 319.
    Shipbuilding Programme, Conditions determining, *Nov. 13*, 1282.
  St. Helena, Grant-in-Aid for, proposed' *Nov. 7*, 536.
  Strangers, Espial of—Procedure under Standing Order 91, *Nov. 6*, 350, 352.
  Trade Disputes Bill, *Con.*, *Nov. 5*, 212, 216.
  Workhouses, Number of Soldiers in, *Nov. 12*, 1034.

Tweedmouth, Lord—*First Lord of the Admiralty*
  Portsmouth Barracks, Inquiry into Disturbances at, *Nov. 8*, 654.

Tyne River
  Police Force—Correspondence Presented, *Nov. 14*, 1382, 1457.

Uig
  Medical Officer, Cause of Absence of—Arrangements for Substitute, etc.
    Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 13*, 1299.

Unemployed
  Distress Committees, Change of Name, proposed.
    Q. Mr. Summerbell; *A.* Mr. Burns, *Nov. 6*, 313.

Unemployed—*cont.*
  Grant of £200,000, Proposals for Allocation of.
    Q. Mr. Rowlands; *A.* Mr. Burns, *Nov. 7*, 533.
    Q. Mr. Lonsdale; *A.* Mr. Bryce, *Nov. 8*, 756.
    Q. Mr. Morton; *A.* Mr. Sinclair, *Nov. 14*, 1500.

Unemployed Workman's Act
  Scotland, Committees formed in, etc.
    Q. Mr. Weir; *A.* Mr. Sinclair, *Nov. 13*, 1298.

United States of America
  British Works of Art, Import Duty on.
    Q. Mr. Lonsdale; *A.* Mr. Lloyd-George, *Nov. 14*, 1472.
  Immigration—Report Presented, *Nov. 7*, 437.
  Penny Post to, Consideration of.
    Qs. Mr. Morton; *As.* Mr. Buxton, *Nov. 5*, 131.

Ure, Mr. A.—*Solicitor-General for Scotland* [Linlithgow]
  Land Tenure Bill, *Con.*, *Nov. 6*, 398; *Nov. 7*, 604, 623, 624, 625, 646; *Nov. 8*, 765, 791, 801, 811; *Nov. 12*, 1074, 1075, 1082, 1083, 1094, 1132–1135, 1161; *Nov. 13*, 1333–1338, 1361, 1366; *Nov. 14*, 1526–1528, 1553, 1556, 1575, 1576, 1578.

Ussher Estate
  Reinstatement Claim of Mrs. Crotty.
    Q. Mr. O'Shee; *A.* Mr. Bryce, *Nov. 14*, 1511.

Vaccination
  Acts, Administration, Proposals for Improving.
    Qs. Sir W. J. Collins; *As.* Mr. Burns, *Nov. 12*, 1062.
  Compulsory Clauses of Act, Application of—Right of Civil Servants to claim Exemptions, etc.
    Q. Mr. T. F. Richards; *A.* Sir H. Campbell-Bannerman, *Nov. 14*, 1517.
  Cost of—Proposals for Dealing with Matter.
    Q. Mr. Pickersgill; *A.* Mr. Burns, *Nov. 12*, 1061.
  Exemption Certificates
    Evans, W., Case of.
      Q. Mr. T. H. Davies; *A.* Mr. Gladstone, *Nov. 12*, 1057.
    Walden, Mr. Case of.
      Q. Mr. Lupton; *A.* Mr. Gladstone, *Nov. 14*, 1462, 1463.

Valentia Island
  Farranreigh—Reinstatement Claim of M. Shanahan.
    Q. Mr. Boland; *A.* Mr. Bryce, *Nov. 13*, 1309.

Verney, Mr. F. W. [Bucks, N.]
- Land Tenure Bill, *Con.*, *Nov. 13*, 1343; *Nov. 14*, 1545.
- Transvaal Chinese Labourers—Vested Interests, Purchase of, by Government, proposed, *Nov. 8*, 725.

Vincent, Col. Sir C. E. H. [Sheffield, Central]
- Aliens Act Administration, Jewish Suggestions as to, *Nov. 12*, 1058.
- Army
  - Military Attachés, Language Qualifications of, *Nov. 12*, 1039.
  - Service Corps—Proposals for Technical Training of Officers, *Nov. 8*, 731.
- Education (England and Wales) Bill—Insertion of Provision for Compulsory Hoisting of Union Jack over School Houses, proposed, *Nov. 14*, 1494.
- Gipsies, Alien, wandering throughout Great Britain, Proposals for Dealing with Matter, *Nov. 5*, 124.
- Houses of Parliament, Improvement in Lighting of, proposed, *Nov. 13*, 1293, 1294.
- Liverpool Victoria Legal Friendly Society, Proposal for Converting into Limited Liability Company, *Nov. 5*, 122.
- Military Instruction in Schools, Decision as to, *Nov. 14*, 1495, 1496.
- Navy
  - Manœuvres, Result of, *Nov. 13*, 1282, 1283.
  - Redistribution Scheme—Names of Vessels, *Nov. 6*, 318.
- Newfoundland Fisheries, *modus vivendi* with United States as to—Duration of Agreement, *Nov. 5*, 116.
- Public Trustee Bill, proposals as to, *Nov*. *5*, 142.
- Volunteer Brigade Organisation, Extending to Metropolis, proposed, *Nov. 5*, 107.

Vivisection
- Report on Illegal Experiments, Expediting Publication of, proposed—Procedure in Prosecutions, etc.
  - *Q.* Sir G. Kekewich, Mr. MacNeill; *As.* Mr. Gladstone, Mr. Speaker, *Nov. 13*, 1291, 1292.
- Royal Commission, Constitution of—Representations of Anti-Vivisectionists.
  - *Q.* Mr. Lupton; *A.* Mr. Gladstone, *Nov. 5*, 125, 126.

Volunteers
- Brigade Organisation, Extension to Metropolitan Volunteers proposed.
  - *Qs.* Sir H. Vincent; *As.* Mr. Haldane, *Nov. 5*, 107.
- Camp Training, Period for.
  - *Qs.* Sir S. Scott, Mr. McCrae; *As.* Mr. Haldane, *Nov. 12*, 1040, 1041.

Volunteers—*cont.*
- Retirement Regulations.
  - *Q.* Mr. Scott; *A.* Mr. Haldane, *Nov. 14*, 1467.

Wadhurst
- Stevens Case, Additional Evidence in, etc.
  - *Q.* Mr. Courthope; *A.* Mr. Gladstone, *Nov. 14*, 1464.

Wages
- Standard Time Rates (1906)—Copy Presented, *Nov. 12*, 918, 998.

Wakefield, Bishop
- Voluntary Schools subject to Charitable Trusts transferred to Local Authorities since 1902, *Nov. 12*, 919, 920.

Wallace, Mr. R. [Perth]
- Land Tenure Bill, *Con.*, *Nov. 14*, 1529.

Walsh, Mr. S. [Lancashire, S.W., Ince]
- Transvaal Chinese Labourers, Immorality, Charges of, *Nov. 14*, 1486.

Walters, Mr. J. T. [Sheffield, Brightside]
- Land Tenure Bill, *Con.*, *Nov. 7*, 595.
- War Office Contracts, Allocation of, *Nov. 8*, 735.

Walton, Sir J. L.—*Attorney-General* [Leeds, S.]
- Corrupt Practices Act.
  - General Election of 1906, Proceedings taken in connection with, *Nov. 8*, 752.
  - Revision of Section 2 proposed, *Nov. 6*, 337.
- County Courts, Small Debt Cases in—Prevention of Committals to Prison, proposed, *Nov. 14*, 1498.
- Debt, Imprisonment for—Amendment of Law, proposed, *Nov. 7*, 554, 555.
- Fowler, Rex *v.*—Decision as to Proceedings for Perjury, *Nov. 7*, 554.
- Hollesley Bay Labourers Voting at London Municipal Elections, *Nov. 13* 1294, 1295.
- Law Courts
  - King's Bench Division, Cases Tried in—Dealing with Cases of under £100 in County Courts, proposed, *Nov. 8*, 752.
  - Poor Litigants, Appointment of Solicitor for, proposed, *Nov. 7*, 523.
- Long Vacation, Alteration in Date for, proposed, *Nov. 5*, 133.
- Trade Disputes Bill, *Con.*, *Nov. 5*, 149–151, 157, 162–166, 175, 178–181, 191–193, 209, 214, 222, 232, 234; 3R., *Nov. 9*, 874–876, 888, 912–915.
- West Riding Appeal Case
  - Cost of, *Nov. 7*, 555.
  - Date of Hearing, *Nov. 14*, 1497.

[*cont.*

Walton, Sir J. L.—*cont.*
- Windlesham—Fatal Accident to O. P. Paul, Decision as to Prosecution of Motor Driver, *Nov. 5*, 132.

War Office
- *Secretary of State*—Rt. Hon. R. B. Haldane.
- *Parliamentary Under-Secretary*—Earl of Portsmouth.
- *Financial Secretary*—Mr. T. R. Buchanan.
- Contracts
  - Allocation between Ordnance Factories and Trade, Rule as to.
    - *Q.* Mr. Barnes; *A.* Mr. Haldane, *Nov. 8*, 733.
    - *Qs.* Mr. Barnes, Mr. Higham, Mr. K. Hardie, Mr. Walters, Mr. Dalziel; *As.* Mr. Haldane, *Nov. 8*, 734–736.
  - Chain Contracts—Procedure in Obtaining, Form of Tender.
    - *Q.* Mr. Hooper; *A.* Mr. Haldane, *Nov. 6*, 319.
- Paymaster's Department, Method of Examining Accounts in.
  - *Q.* Mr. V. Kennedy; *A.* Mr. Haldane, *Nov. 5*, 107, 108.

Ward, Mr. J. [Stoke-on-Trent]
- Army
  - Ipswich Barracks Alterations—Rate of Wages paid by Contractors, *Nov. 7*, 527; *Nov. 12*, 1038.
  - Soldiers Incurably Disabled, Maintenance of—Reason for Discharge of Invalids from Netley, etc., *Nov. 8*, 738, 822, 827, 840.
- Education
  - Church Basements, Number of Schools in, *Nov. 7*, 549.
  - Schools—Floor Space allotted to each Child, *Nov. 7*, 551.
- Flynn, R., Case of, *Nov. 8*, 744.
- Hollesley Bay Labourers Voting at London Municipal Elections, *Nov. 13*, 1295.
- Ladybower Navvy Settlement, School Accommodation for, *Nov. 7*, 552.
- Land Tenure Bill, *Con.*, *Nov. 6*, 366; *Nov. 8*, 766; *Nov. 12*, 1153, 1154; *Nov. 14*, 1523, 1524, 1572, 1586, 1605.
- Naval Dockyards—Reduction of ordinary Labourers at Chatham, *Nov. 5*, 106.
- Perkins, Mrs. E., Case of, *Nov. 7*, 542.
- Transvaal
  - Chinese Labourers, Immorality Charges of — Mr. Bucknill's Report, etc., *Nov. 14*, 1487.
  - Elections—Letter written by Lord Selborne to Sir P. Fitzpatrick, *Nov. 12*, 1052.
- Water Supply, Inquiry into, proposed, *Nov. 7*, 545.

Warde, Col. C. E. [Kent, Medway]
- Soldiers, Discharged, Employed in Government Departments, *Nov. 8*, 731.

Wardle, Mr. G. J. [Stockport]
- Land Tenure Bill, *Con.*, *Nov. 6*, 414.

Warner, Mr. T. C. T. [Stafford, Lichfield]
- Land Tenure Bill, *Con.*, *Nov. 12*, 1107, 1153.

Wason, Mr. J. C. [Orkney and Shetland]
- Africa, West—Conditions of Employment of forced Labour, *Nov. 5*, 116, 118, 119.
- Coroner's Inquest on Child run over by Motor—Inquiry into Coroner's Remarks, proposed, *Nov. 5*, 125.
- Federated Malay States—Abolition of Gambling Licences, proposed, *Nov. 12*, 1053.
- Fisheries
  - "Pioneer" Motor Boat, Result of Working of, *Nov. 13*, 1272.
  - Prevention of Damage done by Whaling Industry—Legislation, Introduction of, proposed, *Nov. 12*, 1002.
- Motors, Skidding and Excessive Speed, Prevention of Accidents from, *Nov. 5*, 126.
- Nigeria
  - Cost of Living in, *Nov. 12*, 1047.
  - Read, Mr. C.—Cause for Attack on, *Nov. 5*, 119.
- Portsmouth Barracks Disturbance, *Nov. 14*, 1484.
- Small Landowners' Bill—Making Retrospective from Day of First Reading, proposed, *Nov. 7*, 558.
- Trawling, Illegal—Prohibition of Sale of forfeited Nets, proposed, *Nov. 7*, 556.

Water Supply
- Inquiry into, proposed.
  - *Qs.* Mr. Maclean, Mr. J. Ward; *As.* Mr. Burns, *Nov. 7*, 544, 545.

Waterford
- Bridge Commission — Representation of South Riding of Tipperary.
  - *Q.* Mr. K. O'Brien; *A.* Mr. Bryce, *Nov. 5*, 103.

Waterlow, Mr. D.S. [Islington, N.]
- Customs, Statistical Office—Reply to Petition of Clerks, *Nov. 13*, 1276.

Watford
- Grammar School Scheme, Provisions of and Decision as to.
  - *Qs.* Sir G. Kekewich; *As.* Mr. Lough, *Nov. 13*, 1297, 1298.

Watt, Mr. H. A. [Glasgow, College]
- Glasgow—Barlinnie Prison Accommodation, *Nov. 14,* 1499.
- Navy—Obsolete Vessels, Disposal of, *Nov 14,* 1482.

Wedgwood, Mr. J. C. [Newcastle-under-Lyme]
- Children, Regulations as to Street Trading by, *Nov. 12,* 1039.
- Ecclesiastical Commissioners—Information as to Tenancy Holdings, *Nov. 13,* 1278.
- Juvenile Offenders Committed to Prison for Non-Payment of fine—Nature of Original Offence, *Nov. 8,* 723.

Weekly Rest-day Bill
- *c.* 1R.* *Nov. 6,* 353.

Wei-hai-Wei
- Chinese Regiment, Disbandment of—Compensation to Officers, etc.
  - *Q.* Mr. T. H. Davies; *A.* Mr. Haldane, *Nov. 12,* 1033, 1034.

Weights & Measures Act
- Report by Board of Trade, Presented, *Nov. 9,* 853; *Nov. 12,* 918.

Weir, Mr. J. G. [Ross and Cromarty]
- Congested Districts Board Crofter Settlement Scheme—Officers carrying out Instructions of Board, *Nov. 7,* 556.
- Crofting Counties—Small Holdings in Congested Districts, *Nov. 12,* 1020.
- Deer Forests, Proposals as to obliging Landlords to Fence, *Nov. 5,* 135.
- Education—Books, Charge for, at School in Ross and Cromarty, *Nov. 13,* 1275.
- Fishery Cruiser—Circumstances of Cruise in Western Highlands, *Nov. 5,* 137.
- India
  - Alipura—Proceedings against Mr. Jack for Arrest of Ryots, *Nov. 8,* 724.
  - Delhi Municipality—Circumstances of Appointment of Mr. Addison as Secretary, *Nov. 8,* 724.
- Lewis, Island of
  - Aignish Settlement, Defects in and Person Responsible for, *Nov. 5,* 133–135
  - Children, Underfed, Proposals for bettering Condition of, *Nov. 5,* 137.
  - Dittmar's, Dr., Report, Printing of proposed, *Nov. 13,* 1300.
  - Equivalent Grant, Proposals for Expending, *Nov. 5,* 136.
  - Migration of Cottars to Mainland, Proposals for Facilitating, *Nov. 6,* 338
  - Sanitary Condition
    - Dittmar's, Dr., Report, Tabling of proposed—Decision as to adopting Recommendations, etc., *Nov. 6,* 337, 338.

Weir, Mr. J. G.—*cont.*
- Lewis, Island of—*cont.*
  - Sanitary Condition—*cont.*
    - Proposals for Improving, *Nov.* , 558.
  - School Water Supply, Proposals for Improving, *Nov. 13,* 1298.
  - Stornoway—Proposals for Improving Sanitary Condition, *Nov. 6,* 339.
  - Trawling, Illegal—Cases reported by Lightkeepers at Tinnipan Head, *Nov. 13,* 1299.
- Local Government Board
  - Medical Inspectors, Increase in Number of, proposed, *Nov. 6,* 339.
  - Vote, Subhead B.—Shewing Subsistence Allowances of Inspectors in Detail, proposed, *Nov. 5,* 135.
- Minch, Closing of against Trawlers, proposed, *Nov. 7,* 557.
- Moray Firth, Foreign Trawlers in, *Nov. 6,* 339.
- Motors
  - Scottish Applications for Limitation of Speed, *Nov. 5,* 95.
  - Taxation according to Horse-power, proposed, *Nov. 6,* 329.
- Small Landholders (Scotland) Bill, Proposals as to, *Nov. 7,* 559.
- Trawling, Protection of Fishing Grounds—Proposals for Additional Cruiser, etc., *Nov. 7,* 557.
- Uig Medical Officer, Cause for Absence of, etc., *Nov. 13,* 1299.
- Unemployed Workmen's Act Committees formed in Scotland, *Nov. 13,* 1298.

Wenlock, Lord
- Education (England and Wales) Bill, *Com.*, *Nov. 6,* 303.

West Indies
- [*See also* Names of Islands.]
- Agriculture Department, Decision as to continuing.
  - *Q.* Mr. Mitchell-Thomson; *A.* Mr. Churchill. *Nov. 12,* 1050.

West Riding Appeal Case
- *See under* Education (England and Wales) Religious Instruction.

Whitechapel
- Aliens relieved in Union, Expenditure on, in 1905, etc.
  - *Q.* Sir W. Evans Gordon; *A.* Mr. Burns, *Nov. 12,* 1061.
- Deaths from Starvation—Provision for Medical Attendance of destitute Persons, etc.
  - *Q.* Mr. Alden; *A.* Mr. Burns, *Nov. 12,* 1062, 1063.

Whitehead, Mr. R. [Essex, S.E.]

Passive Resisters, Stay of Proceedings against pending Decision in West Riding Appeal Case, proposed, *Nov. 5,* 127.

Regent's Park—Facilities for Children to play Games in, *Nov. 12,* 1064.

Whiteley, Mr. G.—*Parliamentary Secretary to the Treasury* [Yorkshire, W.R., Pudsey]

Land Tenure Bill, *Con., Nov. 12,* 1151, 1163, 1164, 1213, 1214, 1215, 1261.

Whitbread, Mr. S. H. [Hunts., Huntingdon]

Land Tenure Bill, *Con., Nov. 6,* 408; *Nov. 8,* 764, 777; *Nov. 12,* 1144–1146, 1235; *Nov. 13,* 1375, 1376.

Whitley, Mr. J. H. [Halifax]

Land Tenure Bill, *Con., Nov. 6,* 368, 369.

Williams, Mr. A. O. [Merionethshire]

Land Tenure Bill, *Con., Nov. 7,* 614.

Williamson, Mr. A. [Elgin and Nairn]

Post Offices in the Country—Regulations as to display of Name of Place, *Nov. 8,* 720.

Wilson, Mr. A. S. [Yorks., E.R., Holderness]

Land Tenure Bill, *Con., Nov. 7,* 577, 578; *Nov. 12,* 1095, 1213, 1214, 1253.

Trade Disputes Bill, *Con., Nov. 5,* 149, 159–161, 222.

Wilson, Mr. J. H. [Middlesbrough]

"Baron Huntly," "Lebanon," and "Manningtree," Loss of—Proposals as to Inquiry, *Nov. 14,* 1471.

Wilson, Mr. W. T. [Lancashire, S.E., Westhoughton]

Civil Servants

  Resignation of Office on becoming Parliamentary Candidate, *Nov. 7,* 534.

  Retired—Regulations as to Parliamentary Candidature, *Nov. 13,* 1277.

Telegraph Service

  Delays, Cause of, etc., *Nov. 7,* 519.

  Policy as to size of Permanent Establishment, etc., *Nov. 6,* 315.

Winchester, Bishop of

Education (England and Wales) Bill, *Com., Nov. 5,* 25, 27; *Nov. 7,* 473.

Windlesham

Hart, Osborne Paul, Fatal accident to—Decision as to prosecuting Motor-Driver.

  Q. Mr. Marnham; *A.* Sir J. Walton, *Nov. 5,* 132.

Winfrey, Mr. R. [Norfolk, S.W.]

Land Tenure Bill, *Con., Nov. 6,* 383, 384; *Nov. 8,* 782; *Nov. 13,* 1368, 1369, 1370; *Nov. 14,* 1594, 1605.

Wireless Telegraphy

Conference at Berlin

  Convention, Opportunity for Discussing.

    Qs. Sir E. Sassoon, Mr. Balfour; *As.* Mr. Buxton, *Nov. 5,* 131, 132.

  Instructions to British Delegates.

    Q. Mr. H. Heaton; *A.* Mr. Buxton, *Nov. 5,* 98, 99.

Witley Common

Inclosure of Portion, Proposals as to.

  Q. Mr. Cowan; *A.* Sir E. Strachey, *Nov. 5,* 101.

Woldingham

School, Proposals for Provision of.

  Q. Mr. Brodie; *A.* Mr. Birrell, *Nov. 8,* 721, 722.

Women's Enfranchisement Bill

c. Intro. and 1R.* *Nov. 7,* 573.

Introduction, Leave asked for.

  Os. Mr. K. Hardie, Sir H. Campbell-Bannerman, *Nov. 7,* 571, 572.

Starring of, proposed.

  Q. Mr. K. Hardie; *A.* Sir H. Campbell-Bannerman, *Nov. 14,* 1517.

Women's Suffrage

Disturbance in Lobby—Prison Accommodation, etc.

  Q. Mr. Morrell; *A.* Mr. Gladstone, *Nov. 7,* 543.

Petitions to House of Commons (1890–1906), Return ordered, *Nov. 8,* 720; Presented, *Nov. 9,* 854.

Woodrooffe Estate

Untenanted Lands, Purchase Proposals for.

  Q. Mr. O'Shee; *A.* Mr. Bryce, *Nov. 14,* 1511.

Workhouses

See also Names of Places.

Soldiers in

  Number of.

    Q. Viscount Turnour; *A.* Mr. Haldane, *Nov. 12,* 1034, 1035.

  Pensions, Claims on.

    Q. Mr. C. Hay; *A.* Mr. Haldane, *Nov. 12,* 1034.

Workmen's Compensation Bill

Report Stage, Date of taking.

  Q. Mr. F. E. Smith; *A.* Sir H. Campbell-Bannerman, *Nov. 12,* 1067.

Workmen's Trains
Legislation to amend Cheap Trains Act, proposed.
Q. Mr. Thorne; *A.* Mr. Lloyd-George, *Nov. 12,* 1003.

Works, Office of
Bewsey, R., Case of.
Q. Mr. Alden; *A.* Mr. Harcourt, *Nov. 13,* 1275.

Wormwood Scrubbs
Prison—Case of J. Yallop.
Q. Mr. O'Grady; *A.* Mr. Gladstone, *Nov. 12,* 1060.

Wortley, Rt. Hon. C. B. S. [Sheffield, Hallam]
Land Tenure Bill, *Con., Nov. 8,* 800; *Nov. 12,* 1110; *Nov. 14,* 1545.
Trade Disputes Bill, *Con., Nov. 5,* 162, 181.

Wyndham, Rt. Hon. G. [Dover]
Land Tenure Bill, *Con., Nov. 6,* 374–378; *Nov. 12,* 1146–1149, 1193, 1209, 1210, 1257; *Nov. 14,* 1565.
Soldiers incurably disabled, Maintenance of—Reason for discharge of Invalids from Netley, *Nov. 8,* 837, 841.

"Xema," S.S.
Interception of by British Naval Cruisers, Allegations as to.
Q. Mr. Fullerton; *A.* Mr. E. Robertson, *Nov. 8,* 727.

Young, Mr. S. [Cavan, E.]
Dromore floods, Proposals for Prevention of, *Nov. 6,* 347.
Skeagh Estate, Purchase of—Turbary Rights of Tenants, *Nov. 13,* 1303.

Younger, Mr. G. [Ayr Burghs]
Division List, Member entered as Voting in both Lobbies, *Nov. 9,* 855.
Land Tenure Bill, *Con., Nov. 12,* 1075, 1076, 1093.

Yoxall, Mr. J. H. [Nottingham, W.]
Diplomatic and Consular Service—Trainingof Vice-Consuls, Arrangements for-Examinations, etc., *Nov. 12,* 1019.

Zouche of Haryngworth, Lord
Education (England and Wales) Bill, *Com., Nov. 5,* 64, 65.